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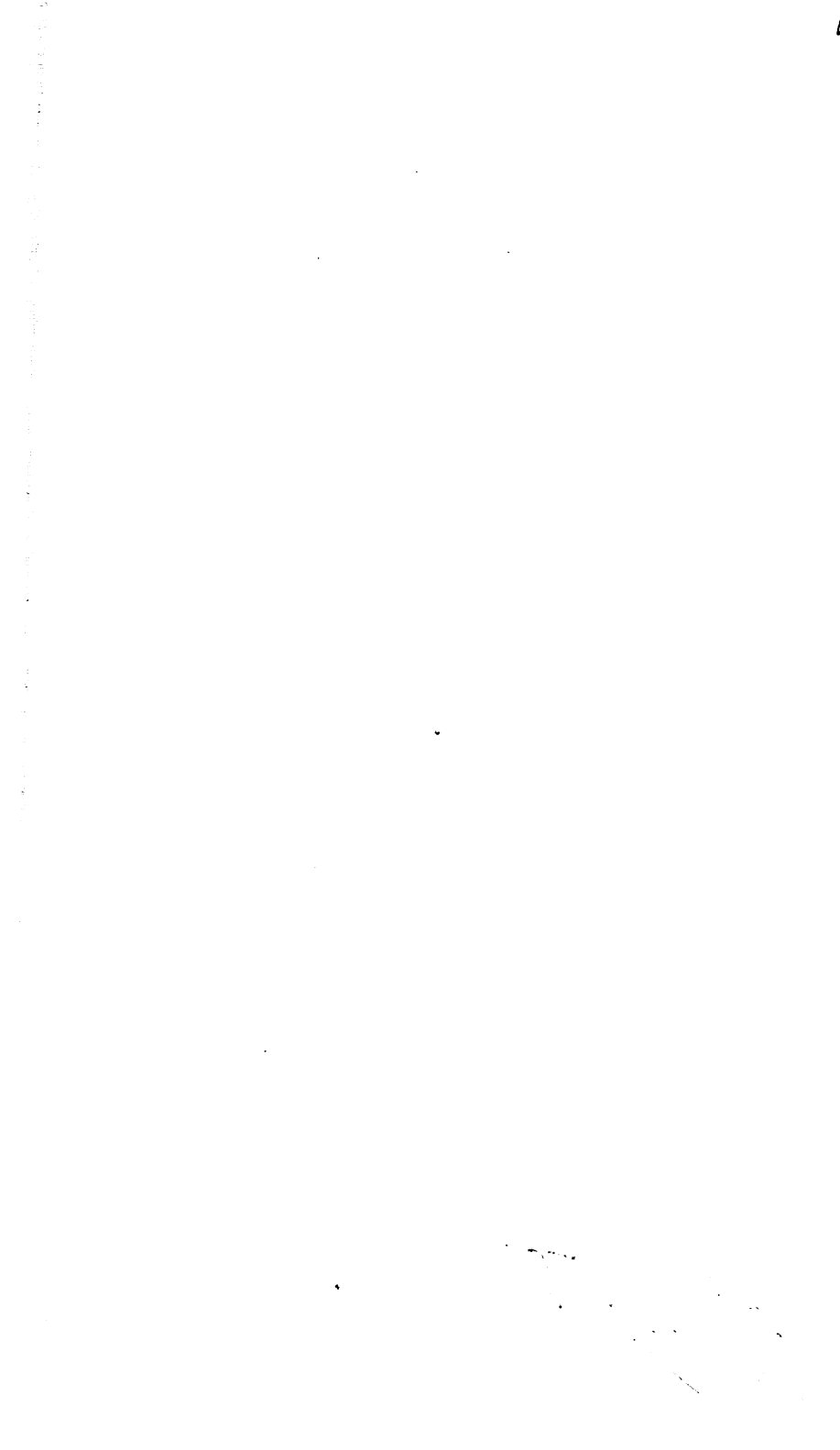
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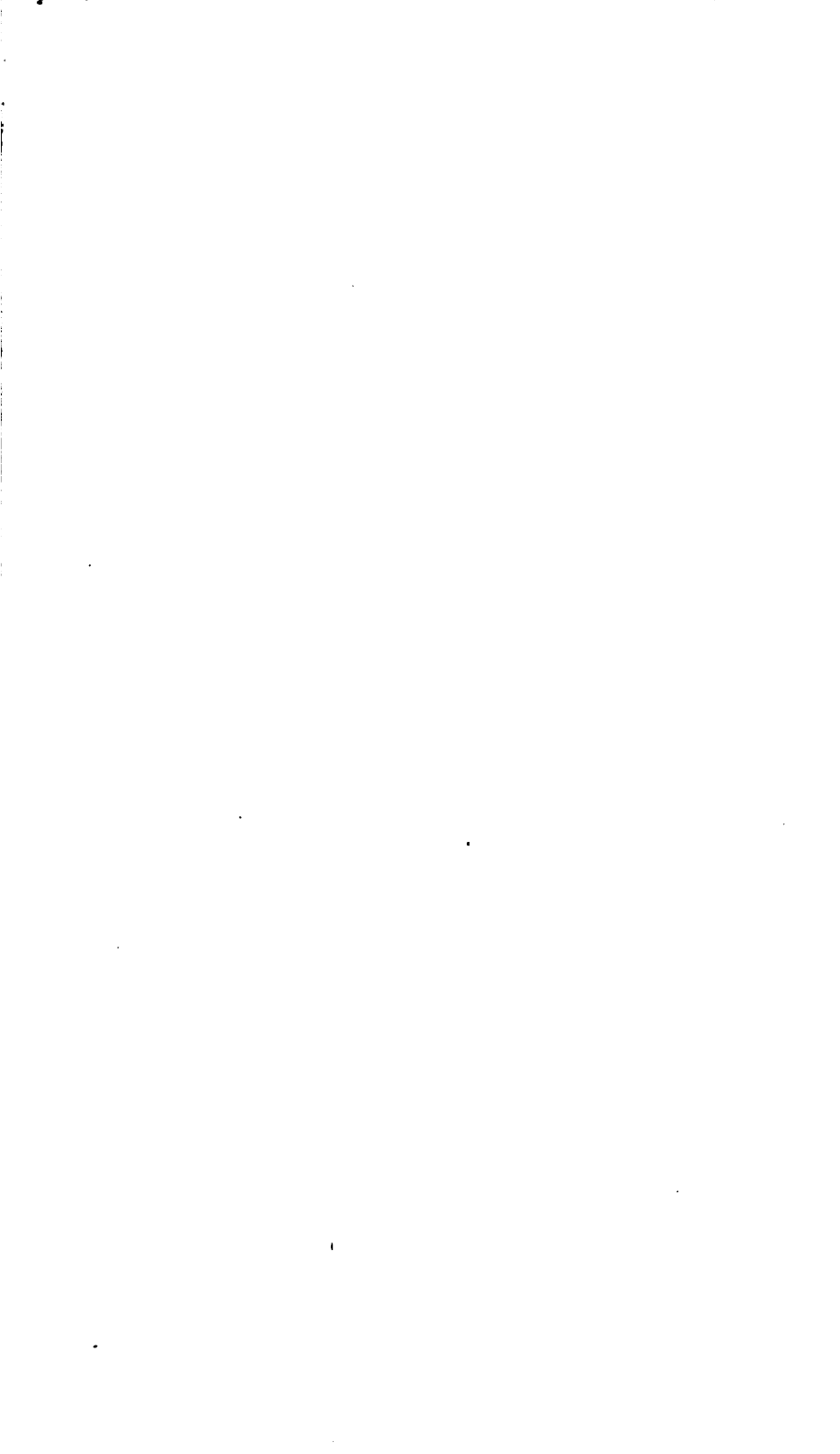
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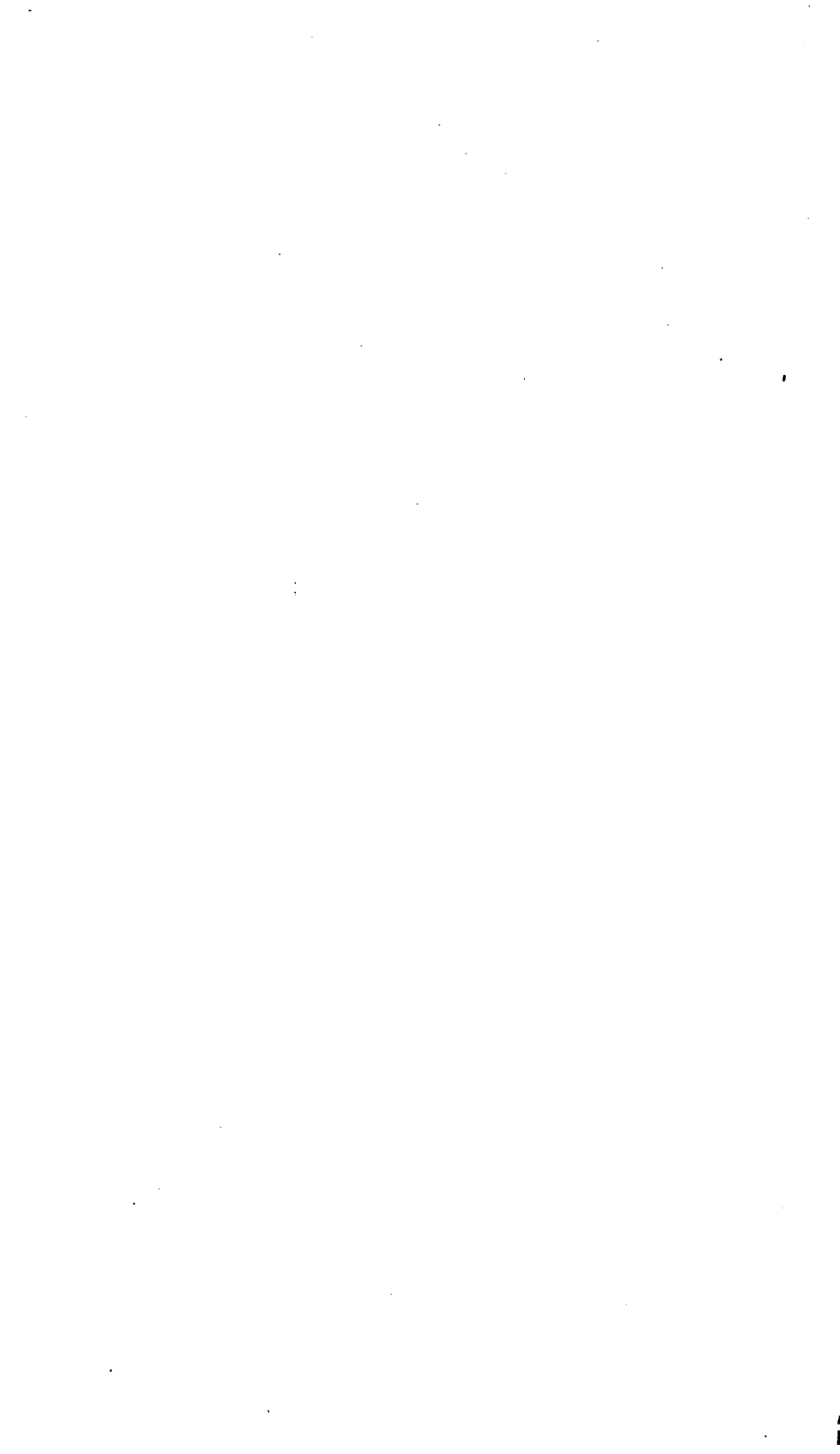


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THE

IRISH QUARTERLY REVIEW.

No. I.—MARCH, 1851.

ART. I.—REMOVAL OF THE IRISH LAW COURTS.

It is unhappily, too much the custom of the Imperial Legislature, to view matters connected with the social condition of Ireland with an anti-Irish feeling. From whatever source this sentiment be derived, whether it springs from ignorance or prejudice, or a desire to carry out the principles of centralization to their utmost limits, or all of these sources combined, it is not necessary at the present to inquire; the fact, however, is so; and centralization appears to form, the alpha and omega of political faith with every Englishman of the present day.

Ireland has ever been and still continues to be the battle-ground of faction. Ireland has over and over again been declared by successive statesmen to be their chief difficulty; and that difficulty still continues, the monument of their ignorance and weakness. But it is a difficulty created and perpetuated by themselves; it is a difficulty sedulously kept in existence by party spirit, to serve as a lever, in the hands of an opposition, to overthrow whatever party may be in the enjoyment of political power; and there seems to be but one policy with respect to Ireland which has been consistently adhered to by English ministers, the policy of "*divide et impera*." Different governments have entertained different views as to the manner in which Irish affairs ought to be regulated, but all, by their acts have shown that this maxim is one of general and universal repute. If the Whigs are in office, the Liberal party in Ireland are excited to antagonism with their Tory fellow-subjects; while again,

in the following year, if a change of ministry has in the meantime taken place, Toryism is in the ascendant, and its advocates are elevated in turn over the heads of their opponents; and hence it comes to pass, that every matter relating to the improvement of the social condition of Ireland, is viewed through the magnifying glass of party; and presents an exaggerated and distorted appearance to the mind of each, as the case may be.

But this evil, following the natural course of error, goes further; and not content with interfering in matters of a purely political and party nature, extends itself to those also which are essentially social. The so called "country party," haunted by the same evil genius of disunion, partakes of the general apathy shown towards all questions of general importance; and feeling a jealousy with respect to matters not immediately connected with or affecting themselves, totally disregard the interests of the mercantile community; forgetful of the indirect injury which must inevitably ensue to them if the interests of the latter be disregarded.

But the subject to which we wish to call attention at present, is one on which there ought not to be a second opinion. The removal of the Court of Chancery and Superior Courts of Common Law in Ireland, with their attendant machinery, from Dublin to Westminster, is a subject which affects all classes of society—the professional man, the merchant, the artizan, and the agriculturist, are more or less concerned in the issue; it extends to every individual and every portion of this island.

Now, though we sincerely trust that no such intention exists in the minds of those who direct the destinies of this empire, yet circumstances do exist which we are not foolhardy enough to despise. Letters have been written advocating such a change; pamphlets have been published with the same intent; proposals have been started for the purpose of testing public opinion; while reports have been circulated and afterwards contradicted, in order that the public mind may be made familiar with the notion, and that familiarity may produce a fatal security; looking too, to the means by which similar great changes in the constitution of this country have been effected, we cannot shut our eyes to the possibility of some such measure being brought forward at no distant time.

It is true, that Lord John Russell, when bringing forward his bill for the abolition of the Lord Lieutenancy in Ireland, last May, is reported to have used words to the following effect:—The noble Lord said, "Before I enter into it," (the question before the House), "I wish to clear away two misrepresentations which have been sedulously circulated upon it; one is, that there is an intention at the same time, or soon after, to remove the Courts of Law from Dublin to London. Now there never was the slightest foundation for it (hear, hear). We never had any intention to propose a measure which would be injurious to Ireland and the administration of justice (hear, hear)." We may afford to give Lord John Russell credit for having expressed what his sentiments *were* at the time he uttered the above words (and his expressed opinion, that such a measure would be "injurious" to the administration of justice, is worth something); but the noble Lord spoke in the past tense, and gave no pledge that at a future time his opinions and intentions would not change. And so manifest was the tendency of the measure then before the House, that the late Sir Robert Peel, notwithstanding his general cautiousness, during the debate on the second reading, involuntarily disclosed the end to which the measure naturally led, when he said, "You have a separate bar and separate judges, but would it not be reasonable to apply the principle to all? You might except Scotland, for there a different system of jurisprudence prevails. I really think it would be more advantageous than the proposed plan." We say he unintentionally disclosed this opinion, for he afterwards "explained" that "he had no intention to interfere with the bar of Ireland or the judicial bench: he had purposely left that question untouched." We take it, however, that greater faith will be given to the "unadvised" statement of the Right Honourable Gentleman, than to an explanation rather awkwardly introduced, when he discovered the error into which he had fallen.

The examples afforded by ministers of the crown are not, we must confess, such as to induce us to place much reliance on their expressed opinions. The Right Honourable Gentleman himself affords us a memorable instance of how opinions, entertained for the course of a long political life, may change; but even granting that the sentiments of prime ministers partook of the immutable character of the laws of

nature, there is no security that some *other* minister may not arise, who will hold opinions directly opposed to his predecessors in office. Who, in the year 1782, anticipated the proposal of the Act of Union, after what was then declared to be a final arrangement between the two countries? Who, in the year 1800, would have thought that a bill for the abolition of the Lord Lieutenancy of Ireland could have been introduced into the House of Commons of the *United Kingdom*, contrary to, and in violation of, the expressed and implied engagement to the contrary? Yet how many an honest man has been disappointed—how often has confidence been betrayed! The assertion then, that there never was the slightest foundation for the rumour, and that the ministers never had any intention to promote such a measure, affords to us no security whatsoever. Assertions are of little value, where engagements have been disregarded.

The question has been raised, and we would be more than foolish to slumber in security while even a possibility of any such proposal being brought forward, exists. We may be wrong in our expectations; we sincerely hope so. No man is infallible. If our fears are unfounded, we will be among the first to express our satisfaction; if, on the other hand, some grounds do exist for the observations we are about to make, we feel that we have done no more than our duty in taking up our pen to expose the injustice and injurious consequences of so fatal and pernicious a catastrophe.

It appears to us that the Act of Union, passed in the 40th year of his late Majesty King George III., clearly decides the illegality of any measure tending to abolish or remove the Irish Law Courts. The 8th article of Union runs thus—

“That it be the eighth article of Union, that all laws in force at the time of the Union, *and all the Courts of Civil and Ecclesiastical jurisdiction* within the respective Kingdoms, *shall remain as now by law established* within the same, subject *only* to such *alterations and regulations* from time to time, as circumstances may appear to the Parliament of the United Kingdom to require.”

The Act of Union between Great Britain and Ireland was a great national compact or treaty entered into, between two independent nations. It was expressly stated to be such by Mr. Pitt, when introducing the measure to the consideration of the English legislature.

The nature of such treaties or compacts is simply this, that the contracting nations are willing mutually to forego certain rights and surrender certain privileges, for the attainment of some advantage, such as, for instance, a more intimate connection between the two countries. Advantages are yielded on both sides; the consideration must be mutual, and the conditions expressed in the contract or treaty must be strictly adhered to. This interpretation is so consonant to common sense, and so agreeable to natural justice; that to dispute or call in question the binding qualities of such conditions (in consideration of which the contract is entered into), would be to upset and overturn the foundation of all national law and jurisprudence.

At the time of the passing of the Act of Union, Ireland was an independent nation, and consequently capable of entering into any contract it might think for its advantage; if it was not so, the validity of the Act of Union cannot be supported. If Ireland at that period laboured under a disability to contract, all arguments urged in favour of the Act of Union, and in support of the measure, must fail; if Ireland was induced to enter into that compact by fraud or corruption, if she was forced to agree, or if she assented under the influence of duress, the Act of Union, according to every principle of law, must fail: it is no longer binding upon Irishmen, if contrary to their wishes. But Ireland was at that time in the enjoyment of her constitution of '82, and fully competent to enter into any contract or treaty, subject to any condition and in consideration of any engagement, which those to whom her administration was entrusted were of opinion would result to her advantage.

The case of Hanover and England, at one time united under the same sovereign, affords a tolerable example of the connection which then existed between England and Ireland; and it would have been equally competent for Hanover and England to have entered into a similar agreement or contract, if the people of both countries had consented or desired. But it is unnecessary to dwell more fully upon the circumstances under which the Act of Union was passed, inasmuch as it must be admitted that it owes its power and binding qualities, to the fact of the competency of each nation to enter into the contract, being established, and to that fact alone. After the several articles are set forth, the Act proceeds—

"Be it enacted by the King's Most Excellent Majesty, by and with the consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that the *said foregoing recited articles, each and every one of them*, according to the true intent and tenor thereof, be ratified, confirmed, and approved, and be, and they are hereby declared to be, *the articles of the Union* of Great Britain and Ireland; and *the same* shall be in force and have effect *for ever*, from the first day of January, 1801, provided that before that period an Act shall have been passed by the Parliament of Great Britain for carrying into effect in the like manner, the said foregoing recited articles."

It is hardly necessary to state, that before that period had elapsed, an Act *was* passed by the Parliament of Great Britain to carry into effect the recited articles.

The narrative, as set forth by the Act of Parliament, is plain and express: the Irish Parliament passed an Act setting forth certain articles or conditions, on the guaranteeing of which, and on which alone, the Act was to take effect. These conditions were afterwards submitted to and accepted by the English Parliament; the Act became law, and the two countries were united.

Such is the narrative of the Act of Union. Grotius, in his work "De Jure Belli et Pacis," lib. ii., cap. 15, divides treaties into two general classes,

"First, those which turn merely on things to which the parties were already bound by the law of nature; secondly, those by which they enter into further engagements."

It is under the latter class that the Act of Union comes as a treaty. It was a further engagement entered into between two independent nations, to which they were not bound to accede by the laws of nature. We have printed in italics those portions of the 8th Article of Union, to which attention ought particularly to be directed. One of the conditions is expressed to be, that all laws in force at the time, *and all the Courts of Civil and Ecclesiastical jurisdiction, should remain as by law then established* in both kingdoms; and though the subsequent portion of the article provides that they shall remain subject only to such alterations and regulations from time to time as circumstances may require, yet that provision plainly refers to such alterations and regulations *in the practice* of the law, as might naturally be expected to become necessary from the increasing wants

of a mercantile community, and the advancement of more enlightened legislation. "Alteration" cannot in any sense be construed "abolition;" nor can the "regulation" of our Courts of Law be taken to include their "removal" from Dublin to Westminster.

If Acts of Parliament are so perverted from the manifest sense and intention with which they are passed—if treaties agreed to on the faith of the contracting parties, are broken through and violated, the science of legislation becomes a trickery, national honour becomes degraded, and confidence destroyed.

The following passage from Vattel's "Law of Nations" clearly points out the rights and duties of parties to such contracts:—

"It is a settled point in national law, that he who has made a promise to any one, confers upon him a real right to require the thing promised, and consequently, that the breach of a perfect promise is a violation of another person's right, and as evidently an act of injustice, as it would be to rob a man of his property. The tranquillity, the happiness, the security of the human race, wholly depends on justice, on the obligation of paying a regard to the rights of others; the respect which others pay to our rights of domain and property, constitutes the security of our actual possession; the faith of promises is our security for things that cannot be delivered or executed on the spot. There would no longer be any security, no longer any commerce between mankind, if they did not think themselves obliged to keep faith with each other, and to perform their promises; this obligation is then as necessary as it is natural and indubitable, between nations that live together in a state of nature, and acknowledge no superior upon earth to maintain order and peace in their society. Nations, therefore, and their conductors, ought inviolably to observe their promises and their treaties. This great truth, though too often neglected in practice, is generally acknowledged by all nations."

He adds further—

"As the engagements of a treaty impose on the one hand a perfect obligation, they produce on the other a perfect right: the breach of a treaty is therefore a violation of the perfect right of the party with whom we have contracted, and this is an act of injustice against him."

It has been said that an Act of Parliament can do everything but make a man a woman, or a woman a man. An Act of Parliament can no doubt effect most important changes, but it can never alter or affect the nature of right and wrong. The principles of right and wrong are situated far beyond the limits of legislative interference, or those to which an Act of Parliament can extend; justice will

remain justice, national right will remain national right, notwithstanding all the laws that have been passed or will ever be passed to the contrary. Upon what principles of justice can it be then contended, that a Parliament constituted with respect to the contracting parties, in the proportion of five to one, has the jurisdiction to adjudicate upon one of those very conditions to which it owes its existence? Upon what principle of justice can it be contended that a treaty, which declares that certain conditions shall *for ever* form the ground of union between two countries, may be altered except by mutual consent? Mutual consent is a necessary antecedent to any such change; and in order that that consent might be fairly ascertained, both parties should be placed in the same independent position in which they were, previously to the contract having been entered into, to enable them to exercise their choice, free and uncontrolled.

That such a mode of ascertaining the national sense and wishes of the Irish people will be adopted, we do not expect; but if some plan be not devised for this purpose, we do not hesitate to state our opinion, that a measure having for its object the removal of the Law Courts from Dublin to Westminster, would be a breach of the Act of Union, would absolve the Irish people from the obligation of that Act, would be a violation of the laws of nations, and unconstitutional in the extreme.

Nations, like individuals, have distinctive traits of character. The soil, the climate, and physical condition of the various portions of the earth's surface differ from each other in productiveness, temperature, and geographical position. It would appear that Providence in like manner, and no doubt for a wise purpose, had implanted in the minds of those by whom each portion was peopled, inclinations and sentiments differing as widely from each other as the physical conditions of their respective countries. The vast extent of the plains of Asia has stamped and impressed on the Tartar tribes their pastoral habits; and so likewise in the manners and institutions of each individual nation, we may trace the peculiarities of their character to causes intimately connected with and depending on the physical and natural capacity of their country.

Of course, in proportion to the rapidity with which civilization advanced, and the means of communication between nations increased,

those distinctive impressions of nature gradually became fainter and fainter. Conquest too, along with other causes, lent its assistance to destroy, or at all events to blend them together; and hence those broad distinctions and peculiarities of character which in the earlier ages of the world distinguished nations from each other, have now as it were become confused; and the traces of a custom which formerly was peculiar to one nation alone, may now be discovered in many. We cannot forbear laying before our readers the following passage from one of Mr. Justice Story's works:—

“ The earth has long since been divided into distinct nations, inhabiting different regions, speaking different languages, engaged in different pursuits, and attached to different forms of government. It is natural that under such circumstances there should be many variances in their institutions, customs, laws, and polity, and that these variances should result sometimes from accident and sometimes from design, sometimes from superior skill and knowledge of local interests, and sometimes from a choice founded in ignorance and supported by the prejudices of imperfect civilization. Climate and geographical position, and the physical adaptations springing from them, must at all times have had a powerful influence in the organization of each society, and have given a peculiar complexion and character to many of its arrangements. The bold, intrepid, and hardy nations of the North of Europe, whether civilized or barbarous, would scarcely desire or tolerate the indolent inactivity and luxurious indulgences of the Asiatics. Nations inhabiting the borders of the ocean, and accustomed to maritime intercourse with other nations, would naturally require institutions and laws adapted to their pursuits and enterprizes, which would be wholly unfit for those who should be placed in the interior of a continent, and should maintain very different relations with their neighbours, both in peace and war. Accordingly, we find that from the earliest records of authentic history, there has been (as far at least as we can trace them) little uniformity in the laws, usages, polity, and institutions either of contiguous or of distant nations. The Egyptians, the Medes, the Persians, the Greeks and the Romans, differed not more in their characters and employments from each other, than in their institutions and laws; they had little desire to learn or to borrow from each other, and indifference, if not contempt, was the habitual state of almost every ancient nation in regard to the internal polity of all nations.”

The national character and feelings of the English and Irish people are totally dissimilar. We might perhaps, if we were not treating of a subject of such grave importance as the present, take a pleasure in tracing what influence the peculiar characteristics, even of scenery, have had upon the mind of man; in inquiring into the different feel-

ings and sentiments which are developed in those who have been placed, from early childhood, in communion with nature, who have been educated under her care, and become imbued with the spirit of truth, freedom, and patriotism; but however agreeable such a digression would be, our limits forbid us to wander through the fertile fields of speculation, and we must return.

The thoughts, the feelings, and natural propensities of the Irish and English people are then widely different; and yet the institutions, as at present established in both countries, are similar in principle. This may at first sight appear to be a contradiction in terms, but the origin of this similarity is easily explained.

In Mr. Cathcart's translation of Savigney's *History of the Roman Law in the Middle Ages*,* the fall of the Western Roman Empire into the arms of its northern invaders is thus described—

"When the Goths, Burgundians, Franks, and Lombards, founded kingdoms in the countries formerly subject to the power of the Romans, there were two different modes of treating the conquered race: they might be extirpated by destroying or enslaving the freemen, or the conquering nation, for the sake of increasing their own numbers, might transform the Romans into Germans, by forcing on them their manners, constitutions, and laws. Neither mode was however followed, for although many Romans were slain, expatriated, or enslaved, this was the lot of individuals, and not the systematic treatment of the nations; both races, on the contrary, lived together, and preserved their separate manners and laws."

But the conduct of the English in their treatment of the Irish race, from the time in which they first acquired a position in this country, was almost quite the reverse: they sought to transform the Irish into English, by forcing on them their manners, constitution, and laws; the particular mode of dress then in use among the Irish was prohibited, and heavy penalties were imposed on the intermarriages of the two races. But there is this difference between the compulsory change of the manners of a nation and the change of their constitution and laws: it is easy enough for a victorious party in a conquered country to establish any constitution and enact any laws they may think fit, but the manners of a people are not so easily transformed; the constitution and laws of a country may depend on a fortuitous

* Vol. I. chap. iii, pp. 99—104.

combination of circumstances; the latter may change, and the former may therefore be at times altered without evil consequences, but the manners of a people take their complexion from nature itself, which is immutable; penal laws may be enacted, but persecution ever strengthens those habits against which it is directed; and though in seeking redress and demanding justice, the inhabitants would be compelled to avail themselves of the laws as administered by their conquerors, yet means for the evasion of laws imposing restraints on established customs, are seldom wanting. The consequence of such treatment is manifest: the *institutions* of the country were no doubt changed, but such is the tenacity with which a nation adheres to its peculiar *habits and characteristics*, that not even the lapse of years from that period to the present day, has been able thoroughly to extinguish them.

The constitution and common law of Ireland being thus at that early period abolished, and the English constitution and English common law substituted in its place, it is plain that the principles of the latter, when applied to the process of legislating for different subject matters, through a long course of years, produced different results both in the practice and administration of the law. Now, though it is not our object in the present instance to point out minutely the differences which exist between the laws of the two countries, we may allude to one or two matters which manifestly required different treatment; thus, for instance, the customs and habits relating to the occupation of land in Ireland are almost peculiar to this country, and consequently the provisions of the statute law affecting this subject (though founded on the common-law principles which we enjoy equally with England) must, of necessity, be also peculiar in its provisions. Differences also exist in many other branches of our respective laws; while that species of property known only to Ireland, that of lease for lives renewable for ever, has also given rise to peculiar equities and a peculiar jurisdiction. We might refer to other examples, but such we imagine to be unnecessary. A careful comparison of the statute books of both countries will show this; and that the fact is so, must be evident to all, who are in any way acquainted with the internal condition of Ireland, or who have studied her peculiar characteristics and habits.

Such a person will plainly understand that many Acts have been passed for the benefit and advancement of English interests, which would be wholly inapplicable to Ireland; and in like manner, that those Acts which have reference to this country, would become totally valueless as a treatment for the social necessities of Englishmen. Such being the case, we think that this difference between the laws in both countries operates as an argument in favour of our being entitled to a separate institution for their study, practice, and administration.

We think further, that without such a separate institution, as our Courts of Law are at present, the administration of justice in this country could not be carried on with advantage, and that, leaving out of consideration the inconvenience which would manifestly occur.

If the quantity of business which engages the attention of the English bar is such, that the members of the profession in that country have, by a tacit understanding between themselves, voluntarily agreed to select different branches of law for their study and particular courts for their practice, it is not, we would imagine, too much to say, that the peculiarities of Irish law, in its practice and administration, also requires cultivation by a distinct and separate body; and if this be so, what object could be gained by the removal of our Courts of Law from Dublin to Westminster? No benefit whatsoever, as far as Ireland is concerned—a step would merely have been taken towards the goal of centralization; a policy which however men may doubt its advantage, when applied to England, no one can deny to be fatal in its effects as regards Ireland. It may be said, however, that we are assuming that this dissimilarity between the laws of the two countries must continue, and it may be urged that such might be easily removed by the sweeping process of an Act of Parliament—that the Gordian-knot which baffled the ingenuity of successive generations was severed by the sword of the Grecian conqueror. True, but to effect such a change, more than an Act of Parliament would be requisite: a long lapse of years can alone reconcile a people to changes in their social polity; and however energetically those changes might be carried out and administered, the more rigidly the laws might be enforced, the greater would be the opposition, and the less satisfactory the result.

"An over-busy meddling," (says Lord Chief Justice Hale) "with the alteration of lawes, though under the plausible name and pretence of reformation, doth necessarily introduce a great fluidness, lubricity, and unsteadiness in the law, and renders it, upon every little occasion, subject to perpetual fluxes, vicissitudes, and mutations; when once this law is changed, why may not that which is introduced be changed, and so on in perpetual motion? so that possibly in the period of an age or two, the law of a kingdom, and with it its government, may have as many shapes as a silkworm hath in the period of a year; so that they that now live, cannot project under what lawes their children shall live, nor the child or grand-child understand by what lawes the kingdom was governed in the time of the father or grandfather; and thereby the constitution of the government, the rules of property, and all things that are concerned to have the greatest fixedness that may be, shall become as lax and unstable as if every age underwent a conquest from a foreign state. And therefore in all times the wisest lawgivers and counsellors have been ever careful to keep the settled lawes of a kingdom as steady and fast as might be, and hence it was, that not so much to gain observance as firmness in their lawes, they were always styled sacred, and the people induced into a venerable esteem of them, by a pretence that their lawes were given from heaven, and therefore not to be changed by any inferior authority."

It would be well if that class of law-reformers, at the head of which stands Lord Glengall, would devote a portion of their time to the study of Hale's "Considerations touching the Amendment of Lawes." Some important information on this subject may also be gathered from the report of the Select Committee on Legal Education, published in the year 1846. In reply to *quære* 1663, Mr. M. Barry, a member of the Irish Bar, speaks as follows:—

"There are a great many principles, particularly as regards real property law, having operation in Ireland, that have none whatsoever in England; suits in Ireland in the Court of Equity are principally confined to the administration of the real estates. In Ireland there is, as the Committee are aware, a peculiar equity, arising in connection with the tenure of leases for lives renewable for ever. Our redemption law under the Ejectment statutes, and the mode of administering the assets of deceased persons, and of administering the real and personal estate of deceased persons, differs so considerably, that a student whose attention has been confined to the subject of patents and the infringement of patents, and suits for the purchase and transfer of estates, and all those subjects that generally absorb the attention in England; that a student, although very well qualified in the principles of law, would find himself very frequently, when he undertook the practice of our country, at a great loss."

(1664) "That is to say, that instruction and practice in England would not necessarily qualify a man for the administration of the Courts of Equity or the practice at the Equity bar in Ireland, without previous instruction and practice in that department also in Ireland?—Certainly it would not."

The question numbered 1667 is also deserving of attention:

"That embarrassment can scarcely be removed without a greater assimilation of the laws of the country as well as of the practice of the courts? It would be exceedingly difficult to dispense with a knowledge of the laws and equities peculiar to Ireland."

After stating some reasons for holding this opinion, Mr. Barry proceeds:

"It would be, I should say, exceedingly injurious upon that ground to assimilate the laws so as to dispense with the necessity of such a class in the country—in fact, I think it would be impracticable."

We take it then to be quite plain, that until the Irish character is so altered as to become essentially English, and Irish customs are supplanted by English habits, the laws of the two countries cannot be assimilated in such respects as to render their exclusive administration in England, advisable.

But if our Courts of Law and Equity were removed, and if the attempt to assimilate the laws of the two countries was abandoned, what would the result be then? Can one who has spent his life in the study of English laws, English customs, English habits, and English prejudices, be as competent, *cæteris paribus*, to undertake the administration of the law in Ireland, as one who has lived in this country, who has studied the peculiarities of our law, and understands the manners, habits, and feelings of our people? We think not. A judge, to be a good one, requires other qualifications than a mere acquaintance with law. He may be read in all the legal lore of Lyttleton and Coke, he may have learned by heart the pages of the Year-Books, he may have wasted the midnight oil in acquiring an intimate knowledge of Bracton and the other sources of our jurisprudence, he may have studied the Institutes of Justinian and the principles of the civil law, and nevertheless be an incompetent judge. Submit to him a question connected with the law of vested or contingent remainders, and he may answer you with the learning

and clearness of a Fearne; but let a case arise where it is necessary to unravel the intricacies of fraud, where it is necessary to detect and present in a clear and concise view to the minds of a jury (not always the most astute) the tricks and crafty ingenuities of designing men, and he will in vain look to his Coke and his Lyttleton for help. In the argument of a demurrer such a man would be in his element: he would see at a glance the gist of an action, he would silence a dexterous pleader, and distinguish cases and authorities with the greatest nicety; but let an unprincipled witness ascend the witness-box, and he would become, if he had only his knowledge of law to refer to, a cipher, a "thing of quiddities and doubts." There is no royal road to the attainment of this most necessary quality in a judge; he must be a man of general information and versed in general literature; he must have carefully noted the passions which influence men's actions; he must have mingled amongst those to whom he is presently about to administer justice; he must have observed, and that too, carefully, their peculiar habits and customs, and the conventional modes of expression in use. Without these acquirements he is incapable of filling with advantage to the public or honour to himself the high office of judge.

How often does an Englishman come over to this country, and leave as ignorant as when he first landed on our shores—he places reliance where none should be reposed; he forgets that our national character is different from that, from which his experience is derived, or he is totally ignorant of it; he returns accordingly, with notions hastily taken up and obstinately adhered to, and forthwith prepares to put his extravagant ideas into the shape of an Act of Parliament; he legislates for evils that he does not understand, and imagines himself a statesman. Thus laws are manufactured for Irish wants, and thus they always fail in effecting the objects for which they were passed. What comparison can then, be instituted between an English and Irish barrister presiding in our Courts of Justice and administering our Laws?

Nor, does the fact of an English judge presiding over the Court of Chancery in Ireland, and earning for himself the high character which our late Chancellor, Sir E. Sugden, has so deservedly obtained, negative our conclusions. The decisions of the Court of

Chancery are grounded on principles of equity, which, from its very nature, must be unchangeable and alike in all countries. It is one thing to interpret the intentions of a testator, and gather his wishes and inclinations from a written document; it is quite another to balance and give its proper weight to evidence delivered *viva voce*, where the manner of the witness and the most trivial expression made use of, may be of the utmost importance in discovering the truth, and afford a means of testing his knowledge and accuracy.

We hardly imagine that it will be contended that gentlemen of the Irish bar are incompetent to perform the duties or incapable of filling the office of a judge. Was incompetency the fault of Lord Plunket—was incompetency the ground, upon which his appointment to the office of Master of the Rolls in England, was cancelled? But we are not without evidence on this matter also: we have at the present day the authority of Sir E. Sugden for saying, that “the lawyers of the Irish bar and the Irish judges are very accomplished lawyers; they have not probably full justice done them in this country.”

We feel unwilling, Irish barristers as we are, to dwell upon the talents or virtues of the Irish bench; but we have no hesitation in saying, and that notwithstanding a recent publication, that the gentlemen who at present preside over our courts of justice are fully competent to their task, and enjoy the confidence of the suitors in their respective courts.

It appears also, and that on the most satisfactory evidence, that the amount of business is such in both countries as to negative the idea, that by removing the Irish Law Courts, and transferring them to Westminster Hall, the same number of judges at present appointed in England, would be sufficient to get through the business, thereby much increased in amount, in a satisfactory manner; and if the carrying out of the measure at present under our consideration, would result in the necessary appointment of an additional number of judges, (who would, no doubt, be selected from among the members of the English bar, after the present Irish judges had departed from the stage of judicial life), it is quite manifest that the grand object in view, is merely to promote centralization, to increase absenteeism, and to destroy a class in Ireland

who, from their *status*, education, and position, naturally enjoy no small influence in the country, and who have at times, exerted that influence to defeat and dissipate the selfish dreams of English ministers. We must therefore beg the indulgence of our readers in laying before them a portion of the evidence relative to the quantity of business in the respective countries, which now lies before us. Sir John Jervis, in reply to a question asked by Mr. Ellice, a member of the Select Committee on Official Salaries, appointed last session, says—

(1722) "The work of the judges has greatly increased of late. At present every court is in full work, so much so that they have arrears, notwithstanding the introduction of the bill which authorises them to sit in Banc during the vacation for the hearing of their arrears, and which they do continuously after each term."

Again he is asked—

(1723) "Are the duties of the judges continuous, or are they such as only press upon them at particular seasons of the year?—They are continuous; the labour itself is very considerable."

He proceeds to give, as an example, the amount of business during the then present term (Trinity), and states that in each court four judges sit daily from ten to four o'clock, or even later; at night their time is occupied in considering papers, and consulting authorities; the fifth judge in each court sits at *Nisi Prius*; and rising at three o'clock each day, go to their chambers, to be (to use Sir J. Jervis's own words) "pestered to death with hearing interlocutory motions by attorneys' clerks, which is the most laborious of all the duties of the judges." These duties continue *semper eadem*, until they go circuit, while one remains in town during the long vacation.

Mr. Baron Parke also agrees with Sir J. Jervis; he is asked—

(1846) "Do you think that a sufficient diminution has taken place in the amount of the judicial business in the country, to justify a diminution of the present number of the judges?—Certainly not."

Again:

(1847) "Do you not think that the present number of the judges is more than adequate to perform the judicial business of the country?—I think not, certainly."

These extracts show conclusively enough, without encroaching further on our pages, that the Judges in England have quite enough to occupy their time and attention without adding the Irish business to their present duties; but it also satisfactorily appears, that the duties which devolve on the Irish Judges are not of that trivial nature, or of so small an amount, as to be thoughtlessly transferred to Westminster Hall. The last feather breaks the camel's back; and we take it, that the learned gentlemen who preside over the courts at Westminster would not find that feather, of a very insignificant weight, particularly when (as we have seen above) they feel some difficulty in keeping down the arrear of business on their lists.

Sir E. Sugden examined:—

(2079) "Should you say that the business in the Court of Chancery in Ireland is such as to occupy exclusively the entire time of the Lord Chancellor?"

His answer is deserving of attention:

"I should say that the entire time of the Lord Chancellor is required to transact the business of the Court of Chancery in Ireland, and to perform his other duties."

In reply to additional inquiries, Sir E. Sugden states: "He," (the Chancellor) "is at times certainly occupied from morning till night;" again, "the Chancery in Ireland is quite sufficient to occupy any man's energy and time."

The late Chief Justice Doherty was also examined at some length; and Mr. Bright, who, in charity, we must believe to be a little deranged on economical questions, endeavoured to extract an opinion, that the amount of business on the Irish circuits was such, that a smaller number of Judges than we have at present would be sufficient to perform their duties; but his Lordship states, that though he has frequently considered the question, and turned it in his mind, with a view to that object, he does not see how the "circuit business could be disposed of with a smaller number of judges than we have at present."

It would thus appear, that if such an attempt as the removal of our Courts of Law be successful, the arrears of business, at present large, must, on the one hand, be accumulated to a frightful extent,

and consequently suitors be thereby prejudiced, and justice delayed; or, on the other hand, if this evil be provided against by the appointment of additional judges and additional courts in England, we are forced to arrive at the conclusion to which we before alluded, viz.: that the promoters of the measure have a remote and ulterior object in view.

The members of the Irish bar are urged to view this measure favourably, or at least to preserve an apathetic indifference as regards it, by the alleged prospect of a wide field for the exercise of their talents, and higher objects for their ambition; but however desirable such objects and desires may be, let Irishmen remember that national honour forbids, and let them by the result, permit the future historian, when chronicling the events of this period, to relate how the Irish bar resisted the tempting offers of ambition advanced in favour of the measure; when such rewards were to be purchased, at the cost of individual disgrace and national dishonour.

It must also be remembered, that as a consequence of the removal of the Law Courts, the emigration of all those gentlemen engaged in the practice of the law, and now residing in Dublin (with the exception of those perhaps who, from their age, family ties, or other circumstances, may abandon the profession), must immediately follow; clients, too, who at present come up to Dublin to transact their law business and consult their counsel, must for the future proceed to London, a long and fatiguing journey, notwithstanding the facilities presented by the Britannia Tube; time and space, though shortened, have not yet been annihilated, and a compulsory visit to the metropolis would scarcely repay the increased expenditure of time and money: and thus the policy of bringing justice to every man's door is violated, and as long as an appeal from the Assistant Barrister's Court exists, or an option of having a question tried before one of the Judges of the Superior Courts is permitted, such a measure will be attended with incalculable injury.

The vast majority of actions tried at *Nisi Prius* are transitory actions, and in consequence of the many advantages which result from having a case tried where the courts of law are located, and the members of the Bar reside, the venues, as a general rule, are at present laid in Dublin; for the future, however, the venues in tran-

sitory actions would, for similar reasons, be laid in London, and a vast increase of expense in the procurement of justice would be the consequence; the travelling expenses of witnesses, their support in an expensive city, and the length of time which they might be detained, while a judge vainly endeavoured to labour through his list, would add materially to the expense of an action; while, in the meantime, the suitor in quest of justice would sit, like Patience on a monument, or perhaps, more correctly speaking, like Niobe in her tears, and though victorious, yet ruined by delay, exclaim—"Another such victory, and I am undone!"

It remains for us shortly to consider what effect the removal of the Irish Law Courts would have in increasing Irish absenteeism. We do not intend to discuss the abstract question, how far absenteeism is injurious to a country. We believe it to be so, and assert it accordingly; and though there are some gentlemen who entertain doubts upon the question, and who endeavour to prove that an income of £1,000 a-year, derived from Ireland, is expended with as much advantage to Ireland in London as in Dublin, we must, nevertheless, even at the risk of being in consequence charged with an assumption, decline entering, at present, into a discussion of the abstract question; and stating our belief, that the latter opinion is erroneous, we are quite willing to undertake any responsibility which may attach itself to the assertion. In treating the question in this point of view, we may premise nevertheless, that we are to a certain extent unwilling to rest our opposition to the measure, on matters of mere pecuniary advantage or disadvantage to Ireland; especially so, when higher considerations are involved. We would prefer to carry persuasion to the minds of our readers through the influence of principle than of self-interest; but though

"Melius est petere fontes quam
Sectari rivulos,"

the latter must not be altogether neglected, particularly when we find that principles have been violated, solemn compacts attempted to be broken, and confidence and national faith betrayed.

Let any one throw a glance over the Dublin Directories for the years 1800 and 1850 respectively, and he may there read a sad tale

of the effects of centralization, as evidenced by absenteeism. The nobility and titled aristocracy would appear, as far at least as residence in Ireland would enable the reader to judge, to have become almost extinct. But when he discovered, from other sources, that vast sums are annually remitted to Irish landlords residing abroad, sums too often expended in extravagance and idle pursuits, he would be forced to the conclusion that they had wantonly deserted their duties, and preferred to follow servilely, in the train of London fashion, than occupy that position at home to which they would be entitled, and might fill with honour. But though our nobility and titled aristocracy have deserted their country, an aristocracy even still exists—a professional aristocracy; the aristocracy of learning and talent, of worth and integrity. Of this aristocracy, composed, for the most part, of the members of the learned professions, the Bar forms no inconsiderable portion, and tends in no small degree to maintain and support the tone of society in Ireland. Remove the Law Courts, and Dublin will sink to the condition of a provincial town.

The closing of our Courts of Justice would form an important era in the history of this country. It would be a signal of departure for all those gentlemen who now practise at the bar, or who intend to follow their profession. The large and influential class of attorneys and solicitors should also emigrate; and the Hon. Society of King's Inns should transplant itself, in its venerable old age, to a new and more congenial climate, where it might endeavour to share the fees and emoluments of its more wealthy English rivals. And thus, in consequence of this one act, the aggregate amount of the professional incomes, of Judges, Barristers, Attorneys, and the various other officers attached to our courts of law, and now expended in Dublin, would, for the future, increase the tide of English wealth, and beautify the metropolis of the world.

But this is not all. The professional incomes would not be the only loss to Ireland. The large amount derived from private property, and other sources of income, would be entirely withdrawn from this country, and for ever lost to it. It would be exceedingly difficult to make any satisfactory calculation of what the total amount of loss sustained would be, in the absence of documents which could be relied on; but we take it to be quite plain that its amount must

be very considerable indeed; and equally plain, that its expenditure in London would entail a severe loss on this portion of the empire.

The following return was handed by the present Master Lyle to the Committee of the House of Commons, in 1846:—

A Return of the Number of Students, Barristers, and Attorneys admitted into the Hon. Society of King's Inns for the last Twenty Years, commencing Hilary Term, 1826.

Years.	Students.	Barristers.	Attorneys.
1826	80	30	74
1827	63	42	83
1828	78	38	73
1829	88	50	71
1830	74	47	81
1831	80	54	82
1832	71	44	87
1833	67	52	95
1834	86	58	104
1835	121	41	111
1836	129	70	107
1837	91	56	133
1838	97	97	129
1839	68	97	140
1840	79	107	121
1841	50	66	106
1842	81	54	112
1843	80	60	119
1844	66	43	107
1846	67	56	114

It would appear from this return, that during the above period of about twenty years, 1,162 gentlemen were called to the Irish bar, 2,049 were sworn in attorneys and solicitors, and 1616 gentlemen were admitted students to the Society of King's Inns. The total amount of fees paid by these gentlemen, as a necessary qualification for admission to their professions, was about £100,000; each student paying, in round numbers, £16, each barrister £32, and each attorney, for entrance and admission, about £23. Now this large sum, being on an average £5,000 a-year, received by the Benchers of the Society, is necessarily expended by them in this city. Mr. Lyle further stated, in reply to a question, whether he could give the Committee a statement of the expenditure of the Society for the last ten years, that it varied during that period from

£6,000 to £9,000 a-year, while in the year 1838 it amounted to so much as £11,554, these additional sums being derived from other sources of income.

Again: at present it is necessary for a gentleman seeking admission to the Irish bar, to serve six terms in some one or other of the English Inns of Court. This has been often dwelt on as a peculiar hardship on Irishmen. So early as the year 1682, Richard Laurence, in his "Interest of Ireland," published in that year, writes as follows:—

"I might also insist upon the expense this kingdom is at, in educating the sons of most persons of quality in the Inns of Court and Universities in England and foreign countries, which is computed to cost this country at least £10,000 per annum."

(No inconsiderable sum at that period.) Nor has this evil been diminished since then. Mr. Barry, during his examination, was asked by a member of the Committee,

"Taking into consideration the necessity of living absent from their own homes, and living here, where they have not perhaps the same conveniences as in Ireland, the additional expense to the candidate for the Irish bar is considerable?—It is enormous—comparatively speaking, enormous."

Now, if the expense which a young man incurs during a residence of one year and a half in a dissipated metropolis, is, to use the words of Mr. Barry, "comparatively speaking, enormous," a residence for three years, which for the future would be the necessary period of probation for the candidate for the bar (so as to enable him to practise, even in the Assistant Barristers' Courts), must be doubly expensive; in other words, whereas the loss to the country has heretofore been the expenditure incurred during a year and a half's residence in London, the loss for the future would be that of three years' expenditure.

The professional income of the Judges would likewise form an important item in the calculation. Taking their salaries at the reduced rate of remuneration recommended by the committee, it would amount to over £59,000 annually, as follows:—

Lord Chancellor,	...	...	£6,000
Master of the Rolls,	...	...	4,000
Chief Justice of Q. B.	...	...	4,300

Chief Justice of C. P.	...	...	£4,000
Chief Baron of Exchequer,	...	...	4,000
Nine Puisne Judges,	...	...	27,000
Five Masters in Chancery,	...	...	10,000

Add to this sum, the annual salaries of the Commissioners of Bankruptcy and Insolvency, the Masters of the various Courts of Common Law, the Taxing Masters, Examiners, &c., &c., and some idea may be formed of its amount and importance.

There are also about seven hundred gentlemen practising at the Irish bar, and taking their professional income on an average to amount to £200 a-year; £140,000 would form the next item in the computation.

Next in order, and by no means the least in importance, would come the members of the profession of attorney and solicitor; then the numerous clerks and officials attached to our courts; and so on, through the various grades of professional persons engaged in the practice of the law, until having gone through the entire category, we arrive, by the simple process of addition, at a grand total. Whatever the amount would be—considerable, without doubt—the entire, with perhaps a trifling amount as an exception, would be lost to this country, and to an almost incalculable extent affect Ireland in her trade, her commerce, and her manufactures; in fact, circulate through and paralyse every branch of her industry.

We have thus far sought to draw the attention of our readers to this important question; we have endeavoured to show that the removal of our Courts of Law would be a flagrant breach of a national contract, and an open violation of the law of nations. We have shown that such a measure would, from the dissimilarity between the two nations in condition and character, be impolitic, and attended with inconvenience, while at the same time a gross injustice would be inflicted on this country, by carrying into execution a measure which would act as a drain on our industrial resources, and increase the pernicious effects of Irish absenteeism.

We have not attempted to set forth, with any degree of accuracy, the total loss which would ensue, even in a pecuniary point of view; we have merely attempted to point out considerations worthy of attention, and leave it to the common sense of our readers to deduce

those conclusions which must inevitably follow. Day by day we see our institutions annihilated, our public offices removed, and Ireland a victim to the policy of centralization; and this, almost without an effort to stay the sacrifice. At times we are ignorant of the contemplated change, until we are awakened to the reality by having to deplore our loss; at others, lulled to a fatal security by misrepresentations and promises invented for the occasion, are thereby induced to forego our rights—the change is carried out and perfected, the promises are utterly forgotten. It is our duty then, to provide against the former evil by watchfulness, to defeat the latter by exposing the futility of all promises. An equivalent may, perhaps, be offered as a temptation to the Irish bar to abandon their national honour—if so, let it be indignantly refused. Shall the names of Flood, Grattan, Curran, Plunket, and of Bushe, and a host of other illustrious fellow-countrymen, be forgotten? Shall the scenes of their efforts be effaced? Shall the courts that resounded with their eloquence be closed, or occasionally exhibited to some curious stranger, as a monument of Ireland's degradation and Ireland's fall? Shall the future historian of our times exclaim with the poet,

—Quid non mortalia pectora cogis
Aura sacra fames?

Shall the Irish bar become a consenting party to their own dishonour? No! There still, we hope, exists amongst us, enough of that spirit by which our forefathers were actuated, to enable us to resist with success, so unconstitutional, so injurious, and to ourselves, so dishonourable a catastrophe.

ART. II.—THE TENANT LEAGUE v. COMMON SENSE.

It has been said, and we believe with truth, that some men are always boys; and for our parts, we think it might with equal correctness be asserted, that some nations are never to be wise. Age succeeds age, generation after generation passes away, and the later is not more calculating, or more thinking, than the earlier; thus the great round of life goes on, producing but a continued series of

failures, or a long catalogue of fruitless aspirings. Nations, like individuals, have their peculiar and distinctive weaknesses or vices; and varied and multifarious as those weaknesses may be, there is not one, in the whole melancholy list of errors, so destructive to prosperity or happiness, whether of man individually or collectively, as the disposition to trust too easily the professions of plausible, designing, loud-talking grievance-mongers. We know well that when men are aggrieved, or, which is the same thing, fancy themselves so, they are in general but too willing to lend a ready ear, and give an active support to him who asserts he is their friend, and will save them, if it be possible, from the evils to which they consider themselves exposed. We are well aware, that in all ages and all countries, designing and knavish men have not scrupled to trade upon the ignorance of the masses, or to rise by means of the popular voice, and by adopting the popular cry. Amongst all the nations of the earth, we are acquainted with none that has been so often deceived and misled, by following the incitings of false friends, as the Irish. Dissensions and misunderstandings, falsehood and recrimination, meanness and treachery, double dealing and political scoundrelism, public dishonesty and open corruption, these, all these, have, in an unparalleled degree, marked the conduct and the policy of the majority of those, who have, from time to time, acted as the leaders of the Irish people. Never thinking for themselves, the people have been either the dupes or the slaves of those who have usurped their leadership. No experience of those leaders' deception has been sufficient to make them guarded; no open or discovered villany has been clear enough to undeceive them, and thus, the very perfection of their own unsuspecting minds, has been the chief cause of their misery and their degradation. We ask any thinking man in the community to look back upon the past history of our country: we ask him to consider that history gravely, calmly, and dispassionately, and to name then the chief causes which have conduced to place this country in its present position; and for our parts, we are quite satisfied the answer must be, that in most cases, the causes of our misfortunes can be found in the folly of the people themselves. They have ever aimed at the impracticable, and have in general looked but to the end, without taking time to bestow a moment's serious reflection upon the means by which that end

could be attained. But, although we consider the conduct of our countrymen to have been unwise and inconsiderate, yet we do not intend to impute to them wicked or vicious designs. We know that misgovernment has oppressed them; we are quite willing to admit, that they have been sometimes misunderstood, and frequently misrepresented. English statesmen and Irish pseudo patriots have made them their tools or their dupes, and for seven hundred years, the Irish nation has been cajoled or bullied by its sons and its masters. It is true, that in this present age, faction in Ireland may not be so rampant, or bigotry so blatant, as in the past; the condition of our people is no doubt in some respects ameliorated, but we are sorry to be obliged to confess, that the events of the past eight or ten months prove, that certain classes of Irishmen are as open to the arts of the demagogue, as easy dupes in the hands of the trading politician, as at any period of our history. When we consider the men and the measures by whom and by which the Irish people have been, from time to time, instigated to political agitation, or humbugged into rebellion—when we look back upon the used up, *blasé* topics which have been sufficient to mislead them—when we recollect the results of the agitations, and the melancholy issues of the rebellions, and find in all but the same woful demonstration of weakness and of folly, we feel that the grave philosophical history of Ireland must be found, if it ever shall be found, in the future: the past and the present are but melodrama or farce—in one page horrible, in the next grotesque.

We have been led into this train of thought by reading the proceedings, and considering the expressed intentions and deliberate designs, of a certain political body calling itself, “The Irish Tenant League;” and although many and various as the schemes have been by which adventurous patriots have attempted to regenerate the country, this appears to us the most absurd, because the most impracticable, ever contemplated. But whilst we thus openly and boldly state our opinion of this body, let us not be understood as for one moment assuming that the tenant has no rights, or that the law of landlord and tenant in Ireland seems either satisfactory or equitable, to any man who applies an unbiassed and unprejudiced mind to the subject. We know the law requires full and perfect revision; the necessity for that revision has

been patent to every thinking man for years, more especially for the past four years; and the duties of the landlord, and the claims of the tenant, have been a worthy subject for the deep consideration of good men, and have, on many occasions, furnished a stock-in-trade for the virtuous and indignant political slangwhanger. In a great and free nation, in which each man is at liberty to use his property in any manner he himself may please, so long as he use it not to the injury of his neighbour, it is no doubt a difficult and most invidious task to meddle in the private affairs of the subject. Ministers have been ever averse to undertake the labour, and unless the case be very pressing, one cannot much blame them. But there are cases in which delay becomes culpable, and in which the neglect to introduce amendments in the law may operate as an oppression and an injustice upon certain classes of the community. We think it is the duty of every man who holds the good of this country at heart, to see, that as far as in him lies, the errors which now mark the law of landlord and tenant shall not long continue, and that while the minister shall be pressed onward, to improve and ameliorate, the demagogue and the knave shall be silenced, or, if necessary, CRUSHED. We feel deeply and warmly upon the subject of landlord and tenant law in this country. We know that until it shall have been revised, there can be no just or reasonable hope of steady and progressive improvement. Emigration may carry off some of the population; railways may give a temporary employment to others; public works may afford the means of life to a few; the Incumbered Estates Court, in doing justice upon the present proprietor of land, for the extravagances of his fathers, may people the country with a monied or a working race of landholders; but all these things will be as nothing, unless the law of landlord and tenant be amended.

And let us be understood, the improvement we contend for is not a valuation of land beyond which no rent can be at law recovered. We do not hold that the owner of land is only in the position of a sleeping partner in a mercantile establishment. We do not wish to see society thrown back to its original elements, that all men might scramble for possession. Our tenant-right is not so sweeping, or so bold, as that of the tenant league; but it is one founded in common sense, and strengthened by all the dictates of

common justice. That right which we would give the occupier is more in keeping with the tenant-right of the North, than in accordance with the Utopian views of the gentlemen who swear by the principles of the Lucas and Duffy corps of impracticables. We believe that the tenant who has held under a lease, say for thirty-one years, who has expended his capital and labour upon the land, who has honestly paid his rent, and done all that in him lay to increase the value of his holding, who has trusted to the honour of his landlord for a renewal of his lease at the old rent, by which renewal he could hope to reimburse himself for his expended capital; we believe that such a tenant as this, is, in common justice entitled, either to the renewal of his lease at the former rent, or to the full and fair value of all his permanent and unexhausted improvements. We care not whether those improvements may consist of buildings, of drainage, or of expensive manures. We hold that all improvements made by an out-going tenant, are such as entitle him to full compensation. This is the tenant-right to which we give our earnest support. This is the tenant-right which has placed the northern farmer in his present position. This is such a tenant-right as has been tried and found good in England. This is the "invaluable understanding of tenant-right," of which the Marquis of Londonderry has written, "that to it the extraordinary prosperity of his Irish estates is owing."—*Memoirs and Correspondence of Viscount Castlereagh*, Vol. I. p. 71. We have no doubt whatever that the sketch we have given, of the principles upon which tenant-right should be framed, is such as would ill suit the taste of some of the leaguers. They say, that the landlord has no right to set his land at the best rent he can get for it. They hold, that in procuring a tenant, he has no moral right to please himself, as to the price at which he will dispose of his property; but in doing so, must take for assistants some neighbouring farmers, or the parish priest, or Presbyterian minister. The reader may ask, why the landlord, the owner of the soil, is to be prohibited from letting that property at any rent, be it high or low, which shall seem to him desirable. *Our* answer is, that there can in justice be no such prohibition; but the answer of the tenant league is, that the land being valued by the appointed valuers, the landlord has no right to demand a higher rent, because the sum set upon the land

by the valuator is a fair one. And those leaguers say further, that the landlord who demands a higher rent is a dishonest man, a man who must be put down, for he is one who denies to the poor man the means of obtaining a living industriously, honestly, and manfully. We never read this last article of the league without thinking of the great truth of St. James's remark, that "All men are naturally charitable; for A. never sees B. in want, but he is at once most anxious that C. should relieve him." And so it is with those gentlemen of the league. The country, they say, is going to ruin; emigration is getting every day more alarmingly extensive; depopulation is still going on; and, in a word, we, the tenant leaguers, must set ourselves seriously to work, and, *at the expense of the landlords*, save the country from destruction. We have said, and we repeat it, we are not the apologists of the landlords, or the defenders of the present law of landlord and tenant; but we are, and we must be, the opponents of foolish schemes or dishonest speculations. We know that many good men have joined the tenant league; we are fully aware, that large masses of the people have attended the meetings of the body; but for these things we care little, as we believe truth and reason to be higher and holier, than all the noisy railing of the platform politician, or the speculating patriot. We have read the reports of speeches made at the meetings of the league, which have given pain to every man who holds the real good of the tenant-farmer at heart. In those speeches, history has been falsified; truth grossly violated; certain classes of society slandered; and every man who refuses to join the league, and support its principles, has been declared an enemy to society, and a friend to the oppressor of the poor. Before we consider these charges, let us for a moment reflect upon the condition and antecedents of the men by whom the charges are made. We find that the tenant league is composed of some scores of Catholic priests, some dozen or so of Presbyterian ministers, and a large number of tenant-farmers. To these may be added some persons whose whereabouts nobody knows, but who appear to have so little employment that they are always ready to accept invitations to meetings and dinners, at which they can make speeches by the hour, if necessary. Thus formed, and thus constituted, the tenant league cannot be considered either very dangerous or very

formidable; but there is attached to the body a very mischievous ally, namely, a turbulent and corrupt portion of what is called the popular press. This, though impotent, utterly and entirely impotent for serious evil, is capable of creating much trouble, and great annoyance, to every man who wishes well to the prosperity of the country. The principles of the tenant league in many respects, perilous and absurd; but we consider that the danger to the well-being of Ireland is increased ten-fold by the adhesion of certain persons, the whole course of whose public lives has been a continued scene of dangerous and destructive follies. Men who have been rash in security, and timorous in danger—who have been often the deceivers, and, as far as in their power, the debauchers of the public mind of the country. These are the persons who have once driven, and who may again attempt to drive, the ignorant and credulous masses into rebellion; and then, unrestrained by any sense of public shame, may lie themselves into an escape from the vengeance of the outraged law, leaving their dupes to suffer all the penalties of absurd credulity. These persons having joined the tenant league, and being supported by their own faction-prostituted press, have been able to push forward their very peculiar views, and have endeavoured to make the movement a war of class against class, of interest against interest, rather than a struggle for the fair rights and just claims of a section of the community. The tenant-right of the North, and its extension to the rest of Ireland, were the demands with which this league originally set out. This, in our mind, was a reasonable demand; at least, it was one to which any government might listen. It was neither revolutionary in its tone, nor did it contain the germs of a socialistic project.

But time passed on—the stagnation of political agitation was great—high sounding protestations of all that was to be done were insufficient to draw money from the pockets of the poor, and in a lucky hour the tenant-right league was pounced upon, and the hungry patriots started the absurd theory of a general valuation of all the land of the country, beyond which valuation no rent should be at law recoverable. And at once a meeting of the “friends of the tenant-farmers” was called, and its sittings were held at the Corporation Assembly Rooms, in William-street. Then was Dublin

frightened from its propriety. *The Freeman's Journal* devoted pages to the morning and evening sittings of the league. The half-bankrupt Dublin tradesman, the ranting platform spouter, the light-headed tenant-farmer, the loafing slangwhanger, always ready to aid a popular humbug; the newspaper proprietor from England, anxious to imp his flight in Irish politics; and the Irish editor, fluttering with anxiety lest the Saxon should out-bray him; the priest and the Presbyterian minister, proclaiming the advent of the political millennium; a few country gentlemen, or gentlemen farmers, as we call them in Ireland, spouting what would be sedition, if it were not nonsense, and each man fancying himself a bucolic Boanerges. All these were at the meetings: the result of the speechifying was the resolution to take the advice of counsel; and that advice having been given, just so much of it as pleased the parties interested was acted upon, and so much of it published to the world as was advantageous to the interests of the same individuals. The league wants money—the league wants members—the members are to bind themselves not to take land from which a tenant has been ejected, unless it can be shown that the ejectment was made necessary by the tenant's own default—above all, they bind themselves, priest, minister, tradesman, farmer, agricultural Demosthenes—all bind themselves to use “every constitutional means” to attain the passing of some law by which the tenant can claim a valuation of his land; and by it his landlord shall be bound, beyond it he shall not be able to recover one farthing rent; and at the end of seven years the ground shall be revalued, if the tenant shall require it. These are the outlines of the tenant league's strong points. Thus recommended, it throws itself upon the sympathetic bosom of the farmer; and he, being told by the league that his landlord has only a right to a share of the profits of the land, being, in fact, only in the position of a sleeping partner, is delighted with the scheme, he is quite ready to back the agreeable friends who come forward in his defence; and thus the league struggles on, supported by falsified statistics, by perverted history, by slanderous imputations, by insolent assumption. This is the tenant league at its nadir. What, reader, think you will it be at its zenith?

The arguments by which the league attempts to support itself

are certainly as novel as they are impracticable; and are strengthened by authority, as the leaguers assert, collected from Scripture, from Parliamentary blue-books, from the notes of tourists, and the pages of political economists. We wish it were possible to observe the look of intense wonder, with which Adam Smith and Paley would hear the astounding announcement, that in their works the league had discovered the doctrine of a general valuation, and the very remarkable theory, that the landlord is but a dormant partner. We say to the league, throw aside authority; cast off political economy, for it is cited in one hour as a favourite science by you, in the next, it is but a blundering method of enabling the minister to starve the country; say boldly that you will try and make your schemes the law of the land; and then men can consider you are honest and open-minded, however they may differ with you as to principles. The league, we assert, has attempted to apply to the state of things we at present see around us, the maxims, the rules, and the policy of ages when the world was but emerging from barbarism. If this be not the true cause of their error, they must proceed on principles of spoliation and injustice, careless of every right, so they themselves succeed in carrying out their intentions. If we assume that the landlord is a robber, because he is unwillingly to allow others to meddle with the property which he has obtained, either by purchase or inheritance; if we go back to the early ages of creation, and apply the laws of that state of society to the present; if we be ready to support the doctrine that "property is robbery;" if we are prepared to declare, that the private interests of a class must be annihilated to serve the private behests, or the wants, of another class; if we can convince ourselves of these things, and of their morality, their justice, and their necessity, in such a case, of course, the principles of the tenant league might seem justifiable; but no *bouleversement* of affairs could ever render them otherwise than violent and extreme. But who is there that can assert he believes any one of these things to be true or reasonable? Who is there, capable of bringing an ordinary reason to bear upon the subject, that can say he believes in the necessity for the change demanded by the league, or that he considers it ever likely to conduce to the permanent good of the tenant-farmer? To argue that the landlord is to set his land at rent

assumed to be fair, is, we contend, unjust in the highest degree, so long as you refuse to apply the principle of valuation to the goods of the manufacturer, the tea and sugar of the grocer, and to all the commodities of trade, and upon which the sellers place their own prices, regulating those prices, as is their undoubted right, by the demand made for the article, and the quantity ready in the market to supply the demand. The principle of valuation, if it be good and necessary, must be extended to the value of the labourer's work, and thus you commence a series of intermeddling legislations, or you deny the assumed rights of one class, whilst you grant them to the other. But are these assumed rights just and lawful; or are they not rather the Utopian dreams of those who argue from the belly, rather than from the brain? Is it not an open absurdity, patent to all, to hold that any class of the community is bound to use its property in any other manner than that in which its owners please, so long as it be used in a way that is not injurious to the commonwealth? We do not see in what other light the proposal of the tenant league can be considered, than an attempt to cast upon the landlords, to throw upon that single class, the burthen of supporting the poverty, the vice, or the idleness of the whole country. Oh! but some friend of the league may say, we don't ask so very wonderful a thing: we only ask the land at a fair rent. A fair rent! that is always the cry; but let us see what the farmers of England expect. They pay high rents, they think them fair, and we enable the reader to judge for himself as to the means by which they advance in the world; we enable the reader to see how unnecessary a valuation is, when men are industrious and honest.

BEDFORDSHIRE.*

CUSTOM.—No tenant-right, except on the Duke of Bedford's estate. The outgoing tenant cultivates the fallows in the usual way, and is allowed for seeds and labour. Incomer does not pay for hay, straw, or dung.

TENURE.—By agreement; leases granted by the Duke of Bedford and some few others. Time of entry, Michaelmas.

* This table of customs is taken from Shaw and Corbet's *Digest of Evidence* given before the Agricultural Customs Committee, March, 1848.

BERKSHIRE.

CUSTOM.—No tenant right. All acts of husbandry paid for by the incoming tenant. Hay and straw taken by valuation. Many tenants are allowed to sell wheat-straw. Drainage very inefficient.

TENURE.—By agreement. Time of entry, Michaelmas.

BUCKINGHAMSHIRE.

CUSTOM.—No tenant-right for improvements. Customs similar to Berkshire. Incomer has the option of taking away growing crops, seeds, and spring and winter ploughing, of which incomer derives the whole benefit valued.

TENURE.—By agreement. Time of entry, Michaelmas.

CAMBRIDGESHIRE.

CUSTOM.—No tenant-right. Valuation between the outgoing and incoming tenant for tillage on the land, for the unconsumed hay on the farm, taking it at the consuming price. There is no away-going crop; and the outgoing tenant has the right of consuming the last year's crop of straw on the premises.

TENURE.—By lease and yearly tenure. Time of entry, Michaelmas.

CHESHIRE.

CUSTOM.—Allowance for bones unexpended, and for other kinds of tillages, such as guano and rape-dust. Customs very similar to Lancashire. Incomer takes dung without charge.

TENURE.—Yearly tenures principally; some few leases. Time of entry, Lady-day.

DERBYSHIRE.

CUSTOM.—Compensation for improvements limited. Allowance for bones unexpended, and for guano and rape-dust. Seeds and labour valued, and dung left.

TENURE.—Yearly tenure, leases seldom granted. Time of entry, Lady-day.

DEVONSHIRE.

CUSTOM.—No tenant-right. The tenant has nothing after he quits his farm; he gives up every thing when he leaves. He never sows his wheat except by agreement; and when he has a six months' notice he sells off by auction, and takes away his cider presses. Dung left.

TENURE.—Short holdings. Time of entry, Lady-day or Michaelmas.

DORSETSHIRE.

CUSTOM.—No tenant-right. The wheat or barley crop is generally taken off by the outgoing tenant, unless by special agreement. Nothing but seeds and labour valued at a Lady-day taking. Dung left.

TENURE.—Short holdings. Time of entry, Lady-day.

DURHAM.

CUSTOM.—No compensation without special agreement. The outgoing tenant has the succeeding corn crop, but is bound to leave seeds and fallow for incomer. Dung left.

TENURE.—Yearly tenures, with leases from twelve to fourteen years. Time of entry, Lady-day.

ESSEX.

CUSTOM.—Incomer takes by valuation the Michaelmas crops, turnips, and young seeds. No compensation, except for dung and fallows, or for the tillage for turnips, and sowing and hoeing. The valuation for the dung, measured in the heap, is taken at so much per square yard.

TENURE.—Clay lands on lease, but not general. Time of entry, Michaelmas.

GLOUCESTERSHIRE.

CUSTOM.—No tenant-right. The outgoing tenant takes the away-going crops at Lady-day, if both wheat and spring corn, paying rent until Michaelmas. The incoming tenant pays for all costs of husbandry, the ploughings, the sowings, and the manuring. Dung belongs to the landlord.

TENURE.—From year to year, by agreements. Time of entry, Michaelmas or Lady-day.

HAMPSHIRE.

CUSTOM.—No tenant-right. Incomer has the privilege of entry about Lady-day, to prepare his turnip crops; and about June or July has a certain portion of the land to prepare his wheat crops. Nothing valued, and dung left without charge.

TENURE.—Yearly tenancy and by leases. Time of entry, Michaelmas or Lady-day.

HEREFORDSHIRE.

CUSTOM.—No tenant-right. Outgoer takes the away-going crop, if incomer will not take it at a valuation; has liberty to thrash until May-day; twelve months following the Candlemas he leaves. As to fixtures, if the tenant puts them up without screws he can remove them, but they generally belong to the landlord. Seeds and labour valued, and dung left.

TENURE.—For twelve months; leases the exception, not the rule. Time of entry, Candlemas-day, 2nd February.

HERTFORDSHIRE.

CUSTOM.—No tenant-right. The custom of entry is usually upon the fallows at Lady-day. Every tenant is allowed to quit as he entered, if he can prove that entry; if not, the custom is for a certain portion of the fallows to be given up at a certain time; with respect to the straw and manure, he quits as he enters. Outgoer takes an away-going crop of all corn, paying rents for ground growing it until harvest,

TENURE.—Yearly tenures, very few leases. Time of entry, Michaelmas.

KENT.

CUSTOM.—In the Weald every thing is paid for, such as underwood, hop-poles, young hops planted. The fallows including rent and taxes and manures, and generally speaking half-manures, hay, straw, ploughing and seeds sown, and drainage, by special agreement.

TENURE.—Yearly tenancies, or holdings under short leases.

CUSTOM.—In the eastern part the right is not so extensive, the tenant is paid for labour only.

TENURE.—Yearly tenancies. Time of entry, Michaelmas.

CUSTOM.—In Mid-Kent the allowances are more favourable to the outgoing tenant than in East Kent. Things are paid for in a higher ratio; hay, straw, and dung at their market value; and throughout Kent the outgoer takes the away-going crop of all corn.

TENURE.—Yearly tenancies.

LANCASHIRE.

CUSTOM.—No compensation can be demanded by custom, but it is sometimes given by the landlords. A tenant professes to quit his land on the 2nd of February, with the exception of a pasture field, called the outlet, for his cattle; the house, buildings, and outlet are given up on the 12th of May. The tenant therefore leaving his land on the 2nd February has nothing upon it but the wheat crop, and for that he gets half of the wheat crop allowed him by the incoming tenant, if it is after green crops; if after the summer fallow, he gets two-thirds of the wheat crops allowed him; and the dung belongs to the farm.

TENURE.—Yearly tenancies, with some few leases. Time of entry, Candlemas.

LEICESTERSHIRE.

CUSTOM.—No tenant-right. Wheat crop valued to the incoming tenant. Principally grass land. The incomer at Lady-day sometimes pays half the winter half-year's rent.

TENURE.—At will, very few leases. Time of entry, Lady-day.

LINCOLNSHIRE (NORTH)—THE WOLDS.

CUSTOM.—In this county tenant-right was first established, and extensive compensations are allowed for improvements, such as chalking, boning, claying, liming and oil-cake. The out-going tenant ploughs up the wheat stubbles, and is compensated for it by the incoming tenant, and the crops are generally valued, including seed, labour, and manure, and general carting.

LINCOLNSHIRE (SOUTH).

CUSTOM.—The usual compensations in South Lincolnshire are for til-lages, manure, and draining; and the custom of tenant-right is very much the same as in North Lincolnshire.

MIDDLESEX.

CUSTOM.—In Middlesex the produce is generally sold to the London market; therefore the general rule is to bring a load of dung back for a load of hay or straw.

TENURE.—By agreements and tenancies at will.

NORFOLK.

CUSTOM.—Here the four-course system prevails. The outgoing tenant is allowed for the rent and parish charges upon that portion of the land which is fallowed. For all tillages and manures, and for the seed, sowing and hoeing, outgoer takes no crop, as he quits at Michaelmas. Incomer pays for hay. Dung left.

TENURE.—Agreements and leases for eight years. Time of entry, Michaelmas.

NORTHAMPTONSHIRE.

CUSTOM.—No tenant-right. The custom of the county is to pay for costs of husbandry, for seed and labour, and for dead fallows; for the turnip crop they pay nothing at all, as they consider the crop to be equivalent to the cost of producing it. Dung left.

TENURE.—From year to year. Time of entry, Michaelmas or 11th October.

NORTHUMBERLAND.

CUSTOM.—Outgoer takes all crops growing when he quits. No tenant-right for compensations, but some trifling payments, as comprised in their leases. Dung paid for.

TENURE.—Leases for twenty-one years in the northern parts, and from eight to fourteen in the southern. Time of entry, 13th May.

NOTTINGHAMSHIRE.

CUSTOM.—Outgoer is paid for all crops in the ground by the incomer at a valuation, with a compensation for naked fallows in the shape of rent, taxes, and labour. Compensation for bones and other artificial manures and oil-cake, and drainage, but not general manure paid for.

TENURE.—Yearly tenancies. Time of entry, Lady-day.

OXFORDSHIRE.

CUSTOM.—No tenant-right. Outgoer is paid for his wheat crops, the value of seed and labour, and the ploughing upon the turnip-land, and for the clover-seed sown with the barley. Dung left.

TENURE.—Tenancies from year to year. Time of entry, Michaelmas.

SHROPSHIRE.

CUSTOM.—No tenant right for improvements. Outgoer takes two-thirds of the wheat crop, after deducting tithes, and the incomer the rest, who pays rent from entry. Dung left.

TENURE.—Tenancies from year to year, with some few leases. Time of entry, Lady-day.

SOMERSETSHIRE.

CUSTOM.—No compensation for improvements. Outgoer generally takes the wheat crop; and incomer is allowed before Michaelmas to come in and plough the turnip fallows, and at Lady-day to sow the spring corn. Dung left.

TENURE.—Yearly tenancies. Time of entry, Lady-day.

STAFFORDSHIRE.

CUSTOM.—No tenant-right. The incoming tenant pays for the grass-seeds; he pays also for any tillage that may have been done to the fallows, and he divides with the out-going tenant the wheat crop; and he takes two-thirds from a fallow crop, and one-half of a brush crop; the incoming tenant also pays for the manure, and for the straw and hay at the consuming price.

TENURE.—Yearly tenancies. Time of entry, Lady-day.

SUFFOLK.

CUSTOM.—No tenant-right beyond that recognised by the custom of the county and by leases. The custom in Suffolk is to pay for the rent and parish expenses on the fallows, together with all the tillages, ploughing and harrowing, and all crops on the ground. Dung paid for.

TENURE.—Leases for eight years. Time of entry, Old Michaelmas, 11th October.

SURREY.

CUSTOM.—This is the most expensive county in England for farmers, owing to the prevailing custom of compensation which exists. Where the free custom of the county is spoken of, it means that the incoming tenant pays for dressings, half-dressings of dung and lime, and sheep-foldings, for ploughing and fallows, including the rent and taxes on fallows, half-fallows, and lays, and the full value of seed and labour for all crops. Hence, Mr. Clutton says, great frauds are practised by the outgoing on the incoming tenant, consequently little improvement has taken place in it.

TENURE.—Principally yearly tenancies, but leases do exist.

SUSSEX.

CUSTOM.—In this county also there is a heavy tenant-right for dressings, half-dressings of dung and lime. The incomer takes by valuation all crops in the ground and lays, and pays for the underwood in proportion to the number of years' growth. Rags, nitrate of soda, guano and rape-cake are allowed for, as also draining.

TENURE.—By the year generally. Time of entry, Michaelmas.

WARWICKSHIRE.

CUSTOM.—No tenant-right for improvements. The outgoing tenant takes the following crop, except an arrangement is made for payment; the agreements are now generally made for valuing it to the incoming tenant. Incomer may plough for spring crops after Lady-day. Dung left.

TENURE.—From year to year. Time of entry, Lady-day.

WILTSHIRE.

CUSTOM.—No tenant-right. Incoming tenant pays for tillages; if the landlord makes the agreement, he is to do the tillages, otherwise the outgoer is entitled to the away-going crop of all corn. Incomer may sow seeds with the last barley crops. Dung left; cartage of manure allowed.

TENURE.—From year to year, and by lease. Time of entry, pasture lands at Lady-day; arable farms at Michaelmas.

WORCESTERSHIRE.

CUSTOM.—No tenant-right. Outgoer takes the away-going wheat crop, but the straw is left for the benefit of the succeeding tenant, and the manure belongs to the landlord. Only seeds and labour valued.

TENURE.—Yearly holdings. Time of entry, Michaelmas, Lady-day, and Candlemas.

YORKSHIRE (EAST RIDING).

CUSTOM.—No compensation for the purchase of artificial manures, draining or chalking. The offgoing tenant is entitled to the away-going crop, varying from one-third to one-fourth of the arable, according to the description of the land he farms; the away-going crop in the Wolds averages one-fourth part of the arable, therefore if a tenant had 400 acres of arable land, he would have a right to an away-going crop from 100 acres. The dung belongs to the land.

TENURE.—By agreement from year to year. Time of entry, Lady-day.

YORKSHIRE (NORTH RIDING).

CUSTOM.—Custom very similar to the East Riding, except that in some instances the offgoing tenant is entitled to two-thirds of the arable land. No compensation for any kind of improvements.

TENURE.—From year to year. Time of entry, Lady-day.

YORKSHIRE (WEST RIDING).

CUSTOM.—Here tenant-right prevails, to as great an extent, if not greater, than in Lincolnshire. In the tillage and half-tillage, and whatever tenants have done in the fallow year, they get paid for; then they go to a second year, and have half that allowed in the following year.

TENURE.—From year to year. Time of entry, Lady-day.

We have, at this very great length, placed before the reader the sworn testimony of some of the best and first agriculturalists in England, as to the customs of the various counties; and we have done so for the purpose of showing, that honesty and industry, in the business of the farmer, require no protection from the law, except that guardianship which every other class of industry in the commonwealth obtains. We have stated, that in our minds the law of

landlord and tenant requires serious attention, and is in a state which causes regret in the heart of every man who loves his country, and is anxious for its improvement. We find the question pushed forward by interested or ignorant men, in a manner so violent and so absurd, that it disgusts every real friend of the tenant-farmer. We do not say that the tenant league is wrong in all its objects, but we assert, we shall ever assert, that the project of a valuation is the damnation of the whole scheme, and that the attempt to support the scheme by garbled extracts and misquoted authorities, is but adding open lying to palpable folly or clumsy dishonesty. We regret that the poorer classes of our countrymen have fallen, in some instances, into the error of giving credit, to the protestations or promises of those who profess to be their friends, but who are in reality their greatest foes. We are not now about to sketch the form into which we believe the question of tenant-right should resolve itself. We are not legislators; our highest aim is to show the vice or the absurdity, of some projects of the tenant league, and to express our opinions upon the imperfections of the law of landlord and tenant—imperfections we believe to arise, not from any defect inherent in the law, but springing rather from an unhappy state of society, which has induced one class to look with carelessness upon the welfare of the other; and for this wretched condition of affairs, we believe the proper remedy is to be found in calm, considerate, wise legislation, rather than in the empty dreamings of ignorance or enthusiasm, or in the glittering theories of designing knaves. We believe that if the tenant-right of the North of Ireland, and the custom of the county of Lincolnshire were amalgamated, and the special merits of each moulded to suit the peculiar circumstances of Ireland; if the fullest compensation for permanent and unexhausted improvements were given to the tenant; if the land were secured to him so long as he paid his rent, or if, when unable or unwilling to pay, he were entitled to his full compensation; if these improvements were made, and enforced by well considered legislation, then would the tenant farmer, the honest tenant farmer, be fully satisfied, for he would have security of tenure, which is nothing more than security for capital expended. Let the Irish farmer look to the condition of the tenants on the Bridgewater Estates. There the landlord is the guardian

of the tenant's interest. Leases are unknown; the tenants require no statute to enforce their just claims; they are happy, because they are industrious; honest, because they are treated fairly; and independent, because they respect themselves, and this same self-respect makes them mindful of all that is due to the condition of their landlord. We are fully aware, that it may be urged in support of the league, that the condition of the English farmer is not a fair argument to urge against the doctrines of the league, as the tenant in Ireland has never had fair and even justice extended to him, and that it is to obtain this justice, to place the Irish farmer in the position of the English yeoman, the league directs its energies. Well, we are satisfied; we are as anxious as any member of the league to see the Irish farmer placed under the same footing as the farmer of the sister island. We say, let Sharman Crawford, let those men who have consistently, untiringly, and against all the yelpings of faction, toiled onward for many a weary year in the cause of the Irish farmer, suggest, or frame, the necessary law of tenant-right. Let it be such a right as all good men must look upon with satisfaction and hope; let it be sound in conception, and just in all its details. Let the tenant league, casting aside the fellowship of those speculating traders in politics who damage its reputation and clog its progression, give its honest, open, legal support, to the tenant-right of the tenant-farmers' old and tried champions; and then will true men throng to its standard, ready to support it in all difficulties, until it arrive, as with such support it must, at the full completion of its most sanguine hopes, seeing spring around it a people rendered happy by the administration of wise laws, passed neither for the gratification of the demagogue, nor for the aggrandisement of the aristocrat, but enacted for the benefit of all: reserving to the landlord his undoubted right of using his property as to him shall seem most advantageous, and preserving to the tenant the fullest security for every farthing expended, of which he shall not have obtained the entire benefit.

We have said that we are not the apologists of the landlords, and truly we are not, and never can be, the apologists of those men who have neglected the great duties of their state of life, and who have handed their tenants over to the mercy of the grinding agent or the

brutal driver. But if there be some landlords of this class in our country, there are others, who have lived on amidst the jarrings of the time, and have borne all the malignant calumny and vituperation cast upon their order by the unscrupulous writers of a miscreant press; and who have sacrificed every pleasure, and resisted every temptation to extravagance, that they might be the better able to expend their incomes in promoting the welfare and increasing the comforts of their tenantry. For men of this class—and we thank God that they are numerous—we are not the apologist: apology for them is needless. Every man who is acquainted with Ireland can name many such in the various counties; and though too high-minded, and too conscious of their own true positions, to enter the lists with the tenant league's slanderous supporters, they are respected, and their good deeds well known to all who take an interest in the condition of the people, and the acts of their superiors.

We feel we have trespassed at very great length upon the attention of the reader, we shall therefore briefly close this paper. But there is one subject to which we *must* direct attention, as it concerns every man in the community, be his position high or low. We allude to the attempts made, and threatened to be repeated, by the tenant league, to return persons to Parliament, whose sole claim to that distinction will be, that they are supporters of the peculiar views of the league. When we consider that it has been a favourite project of parties in Ireland, to return members for the purpose of advocating, or voting for a certain set of principles; and when we recollect the "Irish Parties," and the "Irish Councils;" when we recal the burning, fiery eloquence expended in the Rotundo or the Music Hall, and contrast the acts and speeches of the orators and patriots when in the House of Commons, with their promises out of it, we feel sorrow, deep sorrow, at discovering that our people are still "ignorant in spite of experience." The late Daniel O'Connell, when working the agitation for Repeal, did, as every body knows, insist upon the return to Parliament of men who would support his views upon the question. High-minded, honourable men, who had served the country faithfully, were thrown aside by the electors, forgotten at the word of the idol of the hour, and in their places, men were sent to Parliament, who had no claim whatever upon the constitu-

encies, save only the fact of being *declared* Repealers. Whilst O'Connell lived, these men voted at his bidding. His great power and influence kept all closely together; but, reader, where is the question of Repeal to-day? Where are the Repeal Members? Are they at Conciliation Hall? Are they united in the House of Commons to demand the measure, or "an instalment?" Where are those "Invisible Greens," the '82 Club? Gone, all gone, like the empty phantasm of an idiot's dream. O'Connell and the Repeal of the Union have departed together. Duffy and Lucas creep onward with the tenant-right. Prospero has vanished, and his roaring thunder is silent: Caliban and Trinculo are mouthing on the shore.

The legislature has given an extended franchise to the country. The people are about to experience all the advantages or disadvantages of the measure. If properly and wisely used it will prove a blessing, if turned to serve the purposes of faction, it must of necessity be a curse. We have referred to the case of the agitation for Repeal, not with the intention of either praising or dispraising that question, its advocates or its supporters, but simply for the purpose of showing the evil results of the system of returning persons to serve in Parliament, whose sole claim is, the promise of supporting on all occasions a certain set of principles, pleasing to a section of the community. We object to this system. It was dangerous and bad at all times: *now*, with the extended franchise, it is doubly objectionable, and, if persevered in, will but serve to show to the world that our countrymen are unfit to possess the advantages the Act of Parliament confers—advantages which belong to the nation of right, but which if ill-used, will show that there are some rights it were better a people should not possess, until education and common sense shall have enlightened the public mind. At the late election for the county of Limerick, scenes were enacted, and sentiments were uttered, disgraceful to every member of the tenant league, who is or pretends to be, a friend to the tenant-farmer. No station, however high and worthy, was respected. No sanctity and unobtrusive piety was held sacred from insult. No services in past times were remembered. All was confusion, violence, intimidation, and intolerance from first to last, the election was one scene of violence and misguided feeling, the people, in too many instances,

allowing themselves to be deceived by the promises and protestations of the slandering, unscrupulous emissaries of the tenant league. True, the faction did not succeed. The good sense of the electors saved the county from the disgrace of doing the work of the would-be dictators. Yet, the attempt was made to mislead: it may be, and we have no doubt will be, made again. But if the electors of the country are really anxious for the advantages of Ireland, they will scout from the hustings the nominee of the league, at least until it shall have learned the true interest of the farmer; and thus will the electors prove themselves worthy of the franchise, fit to enjoy it to its full extent, and able to distinguish between the seducing theory of the knave or fool, and the less glittering, but more secure and lasting, because proved, advantages of the Northern and English tenant-rights.

(*To be continued.*)

ART. III.—CURRAN AND HIS COTEMPORARIES. *By*
 CHARLES PHILLIPS, Esq., *one of Her Majesty's Commissioners*
of the Court for the Relief of Insolvent Debtors. 8vo. *Edin-*
burgh and London. 1850.

CLIO, the goddess who presides over History, is represented in ancient story as crowned with laurel, holding in one hand the trumpet of Fame, in the other, a book, the record of illustrious deeds. It was her peculiar province, to chronicle the actions of great and illustrious heroes, and to hand down to posterity, the annals of noble and celebrated men; she loved to record their deeds, in language pure and chaste in its composition, calm and dignified in its style, and accurate in its details; and as it was her object, being the great instructress of mankind, to present without favour, men and things in their true characters; she cultivated eloquence, but it was the eloquence of facts.

Mr. Phillips does not however, in the work before us, ambition to the character of a historian; if he did, we would have occasion to dwell more fully upon the almost impossible task of describing impartially, and painting in their true colours, the actors in a great political drama, when friendship is the source from which one's

knowledge is derived; but as Mr. Phillips states his object to be, to give merely a personal sketch of Curran's Cotemporaries, as they appeared upon the stage to him, many of whom were his acquaintances, some of them his intimates; and declares his aim throughout to be, a "*verisimilitude*" in the portraiture—in short, to make the reader as familiar with the originals as he was himself—we feel as it were disarmed, and inclined to extend to him an indulgence we would not willingly grant, if he had appeared in a different character.

Mr. Phillips's work is amusing and instructive; its style is light and fascinating; and if it is not in all respects what we could wish, we cannot but feel a pleasure in availing ourselves of Mr. Phillips's introduction, and renewing our acquaintance with "Curran and his Cotemporaries."

The village of Newmarket, the birth-place of John Philpot Curran, is situated in the county of Cork. His father, James Curran, whose paternal ancestor had come over to Ireland a follower of Cromwell, had been appointed by the Aldworth family, seneschal of the manor of Newmarket, and in addition to the revenues of his office, was possessed of but a very trifling income. Martha Philpots, his mother, a "woman of gentle blood," was gifted with a mind of no ordinary capacity, far indeed above the average of persons in her class of life; and we are told by a writer, that "her legends were the traditions of the olden time, told with a burning tongue, and echoed by the heart of many a village Hampden."

On the 24th July, 1750, was born their eldest son, John Philpot Curran. Educated under a mother of such natural endowments, young Curran imbibed those pure principles of natural truth and religion, which fortified his mind, and enabled him to resist the temptations of wealth and preferment, which were so often thrown in his path, and urged on his acceptance. The gentle teachings of the mother, inculcated in childhood, were never forgotten by the son; and after she had been removed from the busy stage of life, a monument erected over her resting-place, reminded the reader, that, "this frail memorial was placed by a son whom she loved."

The education afforded by his parents (if we except the lessons instilled into his youthful mind, by his mother) does not appear to have been very extensive. The future orator and judge, we are

told, was indebted to the Protestant clergyman of the parish, Mr. Boyse, for instruction even in English grammar and the rudiments of the classics; and after the latter had exhausted the treasury of his own knowledge, he further provided for the future success of his adopted pupil, by sending him to Middleton school, then under the care of Mr. Carey; and paying out of his own means the expenses of his tuition.

Curran used to acknowledge that his subsequent success in the senate and at the bar, was owing in a great measure to the kindness of his friend Boyse; "*he made a man of me,*" was his frequent expression. On one occasion, about five-and-thirty years after, when returning home from court to his residence in Ely-place, he found his old friend seated in his study, "his feet familiarly placed on each side of the Italian marble chimney-piece, and his whole air bespeaking the consciousness of one quite at home; he rushed instinctively into his arms and burst into tears." We cannot say that we admire these tragic outbursts of friendship and affection. Mr. Curran must have been, at the very least, between forty and fifty years of age when this scene was perpetrated. The unexpected appearance of some long-lost friend, whose fate was unknown, or the hope of whose safety was merely sufficient to keep "alive despair," *might* draw tears of joy, from a manly heart. But Mr. Curran "bursting into tears," at the sight of one, with whom he might have communicated every week of his life, is rather too puerile for a man of forty; while the concluding portion of the scene is almost as absurd a piece of affectation as we have ever met with—"You are right, sir (said Mr. Curran); you are right: the chimney-piece is yours—the pictures are yours—the house is yours: you gave me all I have—my friend—my father!"

From Middleton school, Curran entered Trinity College, under Dr. Dobbin, in the middle of the year 1769, as a Sizar. In 1770 he obtained a Scholarship, and appears to have had some idea of reading for a Fellowship. This was, perhaps, to gratify the earnest wish of his mother, that he should select the Church as a profession. She fondly hoped that "Jackey" would have died a bishop, at the very least. A college life, however, was at that time little suited to cultivate and nurture the more sober and religious sentiments of the

mind, particularly of one who is described as being "the wittiest, dreamiest, most classical, and ambitious scamp in College."*

Among the many anecdotes told of Curran, during this period of his life; the following, as given by Mr. Phillips, must content our readers. Those who are desirous of a more intimate acquaintance with Curran's wit and humour, must consult the work itself. "Dr. Hailes, one of the Fellows, during a public examination, continually pronounced the word '*nimirum*' with a wrong quantity. It was, naturally enough, the subject of conversation, and his reverence was rather unceremoniously handled by some of the academic critics. Curran affected to become his advocate. 'The Doctor is not to blame,' said he; 'there was only one man in Rome who understood the word, and Horace tells us so,

Septimius Claudi *nimirum* intellegit unus."

Mr. Phillips, in this portion of his work, inflicts a well-merited rebuke on the intellectual idleness of the Fellows of Trinity College. Mr. Phillips quietly remarks in a note to page 12, "there are, no doubt, at this moment many men of genius among the Junior Fellows of the College, but they *so totally attach themselves to tuitions, that literature is out of the question.*" The words are Mr. Phillips's, the *italics* are our own. The immortal Swift is quoted as an authority:

" Scarce a bow-shot from the College,
" Half the globe from sense and knowledge."

We would suggest to Mr. Phillips the following verse for his next edition—

Says a lad from without,
A scholar no doubt,
I'll wager my cap full of dollars;
That all will agree,
In this plain truth with me,
That the *fellows* are very bad *scholars*.

But in sober earnest, can we feel surprised that the "Silent Sister" should have received heavy blows and sore discouragement from almost every party? Her means of doing good, are numerous; the good effected small. She possesses a large revenue, and an

* Curran's Speeches. Dublin, 1843.

extensive patronage in the church, while her magnificent library lies almost totally useless, in consequence of the stringent regulations which are imposed upon all persons, desirous of availing themselves of its benefits. Impaled upon the shield of the arms of our University appears a volume *closed*; it was intended, no doubt, to signify that here was the abode of learning, here the seat of the Muses; but one would almost imagine that Queen Elizabeth, by approving of such an emblem, had anticipated the late rules for the regulation of the library, as approved of by the Provosts and Board of Senior Fellows.

Or, again, is the mode of education adopted, such as to draw forth and stimulate the distinct and peculiar talents of individuals; is not the mind of a student rather, *constrained and confined to that particular course* of study marked out in the calendar; and are not practical results, the grand object of all education, totally disregarded? if otherwise, how comes it to pass, that many men who in after life have raised themselves to a proud position in society by their talents, and by their talents alone; remained during their College probation, unknown and undistinguished? Their talents for the first time sprung into existence, when they left its walls, and had thrown off the lethargic influence of University education—

“The glory of the College and its shame.”

Mr. Phillips inserts here some specimens of Curran's poetical compositions at this early period of his life; one of them, a ballad, has attained to some degree of popularity—

If sadly thinking,
And spirits sinking,
Could more than drinking
Our griefs compose—
A cure from sorrow
And grief I'd borrow,
And hope to-morrow
Might end my woes.

But since in wailing
There's nought availing,
For death unfailing,
Will strike the blow;

Then for that reason,
And for the season,
Let us be merry
Before we go!

A wayworn ranger,
To joy a stranger,
Thro' every danger
My course I've run.
Now death befriending,
His last aid lending,
My griefs are ending,
My woes are done.

No more a rover,
Or hapless lover,
Those cares are over—
"My cup runs low;"
Then for that reason,
And for a season,
Let us be merry
Before we go!

On leaving College Curran entered the Middle Temple, as a law student; and occupied his time in London in hard study and laborious mental exercise, and, like most young men of talent, who are without the means of indulging in extravagance, endeavoured to improve himself in a knowledge of his profession. He seldom went to theatres, or other places of amusement; and, in point of fact, led a life of strict propriety and temperance.

If, however, we divest ourselves of those feelings of romance which Mr. Phillips endeavours to throw around all Curran's actions; we must arrive at the conclusion, that his residence in London was far from being agreeable. He had contracted that terrible malady, "home sickness;" and his letters from London, given in full by Mr. Phillips, breathe the feelings of a mind that sighs for home. He gives a sentimental account of his journey to London; forgives the Fellows of College, "whom he never loved;" and, in conclusion, begs, for Heaven's sake, to be told some news or other, "for, surely, New-market cannot be barren in such things." These two letters occupy ten pages of Mr. Phillips's work; we think, however, they might

have been curtailed, without any injury, either to Mr. Curran's character, or to the interest of the work itself.

There was one event however, which occurred during his stay in London, which is far more interesting, and deserving of attention—his first essay in public speaking. We cannot do better, we imagine, than give the account, in Mr. Curran's own words; it affords a fair example of that conversational style of speaking, for which he was so celebrated. The extract we take from Mr. Curran's Life, published by his son:

"When I was at the Temple, a few of us formed a little debating club—poor Apjohn, and Duhigg, and the rest of them! they have all disappeared from the stage; but my own busy hour will soon be fretted through, and then we may meet again behind the scenes. Poor fellows! they are now at rest; but I still can see them, and the glow of honest bustle on their looks, as they arranged their little plans of honourable association, (or, as Pope would say, 'gave their little senate laws,') where all the great questions in ethics and politics (there were no gagging bills in those days) were to be discussed and irrevocably settled. Upon the first night of our assembling I attended, my foolish heart throbbing with the anticipated honour of being styled 'the learned gentleman that opened the debate,' or 'the very eloquent gentleman who has just sat down.' I stood up—the question was Catholic Claims, or the Slave Trade, I protest I now forget which, but the difference, you know, was never very obvious—my mind was stored with about a folio volume of matter, but I wanted a preface, and for want of a preface the volume was never published. I stood up, trembling through every fibre, but, remembering that in this I was but imitating Tully, I took courage, and had actually proceeded almost as far as 'Mr. Chairman,' when, to my astonishment and terror, I perceived that every eye was riveted upon me. There were only six or seven present, and the little room could not have contained as many more, yet was it, to my panic-struck imagination, as if I were the central object in nature, and assembled millions were gazing upon me in breathless expectation. I became dismayed and dumb. My friends cried 'hear him!' but there was nothing to hear. My lips, indeed, went through the pantomime of articulation, but I was like the unfortunate fiddler at the fair, who upon coming to strike up the solo that was to ravish every ear, discovered that an enemy had maliciously soaped his bow. So you see, sir, it was not born with me. However, though my friends, even Apjohn, the most sanguine of them, despaired of me, the *cacoethes loquendi* was not to be subdued without a struggle. I was, for the present, silenced; but I still attended our meetings with the most laudable regularity, and even ventured to accompany the others to a more ambitious theatre, 'the Devils of Temple Bar;' where, truly may I say, that many a time the devil's own work was going forward. * * * Such was my state, the popular

throb just beginning to revisit my heart, when a long-expected remittance arrived from Newmarket. Apjohn dined with me that day, and when the leg of mutton, or rather the bone, was removed, we offered up the libation of an additional glass of punch for the health and length of days (and Heaven heard the prayer) of the kind mother that had remembered the necessities of her absent child. In the evening, we repaired to 'the Devils;' one of them was upon his legs, a fellow of whom it was impossible to decide whether he was most distinguished by the filth of his person, or by the flippancy of his tongue—just such another as Harry Flood would have called 'the highly-gifted gentleman with the dirty cravat and greasy pantaloons.' I found this learned personage in the act of calumniating chronology by the most preposterous anachronisms, and (as, I believe, I shortly after told him) traducing the illustrious dead, by affecting a confidential intercourse with them, as he would with some nobleman, '*his very dear friend*,' behind his back, who, if present, would indignantly repel the imputation of so insulting an intimacy. He descanted upon Demosthenius, the glory of the Roman forum, spoke of Tully as the famous cotemporary and rival of Cicero, and, in the short space of one half-hour, transported the Straits of Marathon three several times to the Plains of Thermopylæ. Thinking that I had a right to know something of these matters, I looked at him with surprise; and, whether it was the money in my pocket, or my classical chivalry, or, most probably, the supplemental tumbler of punch, that gave my face a smirk of saucy confidence, when our eyes met there was something like wager of battle in mine, upon which the erudite gentleman instantly changed his invective against antiquity into an invective against me, and concluded by a few words of friendly counsel (*horresco referens*) to Orator Mum, who, he doubted not, possessed wonderful talents for eloquence, although he would recommend him to show it, in future, by some more popular method than his silence. I followed his advice, and, I believe, not entirely without effect; for when, upon sitting down, I whispered my friend that I hoped he did not think my dirty antagonist had come quite clean off? 'On the contrary, my dear fellow,' said he, 'every one around me is declaring that it is the first time they ever saw him so well dressed.' So, sir, you see that to try the bird, the spur must touch his blood; yet, after all, if it had not been for the inspiration of the punch, I might have continued a mute to this hour. So, for the honour of the art, let us have another glass." (p. 41—47.)

It must not, however, be supposed that the nervousness which Curran felt, when rising to address a public assembly, was overcome altogether by the successful issue of his maiden speech at the "Devils' Club." No such thing. When rising, in some matter of trivial importance, in the Court of Chancery, after his call to the bar, he was so overcome by his feelings, that when Lord Lifford requested

him to raise his voice, he became silent, laid down his brief; and left it to a friend, to finish the motion.

Previous to his call to the bar, Mr. Curran contracted a matrimonial alliance. It turned out to be, however, one of those ill-suited and unhappy marriages which have so often marred the domestic comforts and happiness of great men. Socrates had his Zantippe, and Curran was not without his domestic troubles. In a poem written by Curran, entitled the "Plate Warmer," (certainly a very unromantic name, but in which the origin of that highly useful addition to the culinary staff, is traced to divine invention,) (p. 347,) where, when talking of Jupiter, he writes,

"He sometimes chanced abroad to roam,
For comforts often missed at home;"

one might almost imagine, that there was more reality in the sentiment, than the mere imagination of a poet. Curran's wife was a Miss Creagh, daughter of Dr. Creagh of Newmarket, and a cousin of his own; with her "he got a woman he loved, though she seems to have been lazy, and rather conceited."

Phillips describes the marriage as an unfortunate one for Curran; "it was to him a fountain of perpetual bitterness, overflowing the fairest prospects of his life, and mingling itself with the sweetest cup of his prosperity." We can sympathise, on this subject, with the feelings of Mr. Phillips, as the *friend* of Curran.

Mr. Curran was called to the bar in the year 1775. It appears, he had previously thought of emigrating to America, and that it was after much indecision, he finally determined in favour of the Irish bar. Mr. Phillips here takes the opportunity of describing the Irish bar, as it existed at that period. The likeness is a flattering one, and we will give a portion of it to our readers:—

"To that enlightened body, as at that day constituted, the 'future men' of this country may be allowed to turn, with an excusable, and, in some sort, a national satisfaction. There were to be found her nobles, her aristocracy, her genius, her learning, and her patriotism, all concentrated within that little circle. No insolent pretension in the high frowned down the intellectual splendour of the humble; education compensated the want of birth; industry supplied the inferiority of fortune; and the *law*, which in its suitors knew no distinction but that of justice, in its professors acknowledged none

except that of merit. In other countries, where this glorious profession is degraded into a trade, where cunning supplies the place of intellect, and a handicraft mechanism is the substitute for mind—where, in Curran's peculiar phrase, 'men begin to measure their depth by their darkness, and to fancy themselves profound, because they feel they are perplexed;'—no idea can be formed of that illustrious body; of the learning that informed, the genius that inspired, and the fire that warmed it; of the wit that relieved its wisdom, and the wisdom that dignified its wit; of the generous emulation, that cherished while it contended; of the spotless honour, that shone no less in the hereditary spirit of the highly born, than in the native integrity of the more humble aspirant; but, above all, of that lofty and unbending patriotism, that at once won the confidence, and enforced the imitation of the country."—(p. 33, 34.)

Our readers, especially Irishmen, must not, however, lay this flattering unction to their souls; for before the conclusion of his work, Mr. Phillips favours his readers with a far different description. We suppose that in this instance we are bound to follow the rule of law applicable to wills, and must consider the later description as representing the real sentiments of the writer; if this be so, the pride we naturally felt when reading the above passage, as a "verisimilitude" of what the bar then was; is considerably reduced by a perusal of the following:—

"The bar of Ireland now is, I am told, no more like that learned body in the times of which I speak, than are the squires of the present day like those of Castle Rackrent. The fire and the fun of the squirearchy are gone. The morning of whiskey, the noon of duelling, and the nights of claret, have all passed away, and days of vulgar reckoning have succeeded—days, a dream of which never disturbed the Milesian imagination—days, forsooth, when an Incumbered Estates Bill tells landlords that they must pay, and tenants that they may live! The then bar partook, as might have been expected, very much of the character of the gentry. Enjoyment of the present and defiance of the future, constituted its characteristics. Law was scarce, and, to say the truth, its acquisition somewhat dangerous, when to demur to a declaration amounted to a personal offence. Of course there were exceptions, and both sound and shining ones; but we speak of the rule. Zeal supplied the want of learning; each man became the champion of his brief, and 'wager of battle' was the plea most recognised. The reports in vogue were those of the pistol."—(p. 359, 360.)

We regret we cannot enter more fully than we have done, into the particulars of Curran's early life; the short limits of a Review

necessarily exclude many matters which it would be interesting to dwell on, and which are deserving of attention; we must content ourselves with noticing those matters only, which must occupy a prominent position in a history of his life. Having attended the Cork Sessions for some time after his call to the bar, he removed to Dublin, a more extensive field for his talents, where he settled himself in lodgings in Hay-hill, at that time a very fashionable locality; here, like many others of his brethren at the bar, he endured for some time the pressure of contracted means, and the importunities of his landlady; one morning, however, after a constitutional walk before breakfast, an unexpected but welcome visitor presented itself on his return; a large brief, "with twenty golden guineas wrapped up beside it, and the name of old Bob Lyons marked upon the back of it." This good luck at once established his respectability in the eyes of his landlady, who must have had, up to that time, very grave doubts as to his solvency—doubts which however were now speedily removed, and Curran was once more restored to favour. For this introduction to old "Bob Lyons," he was indebted to Mr. Arthur Wolfe, afterwards Lord Kilwarden, who, unfortunately was murdered during the insurrection of 1803, and who, to the period of his death, remained his staunch and earnest friend.

It was on the occasion of a visit to Mr. Lyons, at his country seat in the County of Sligo, during a summer excursion, that Curran had well nigh ended his earthly career, and Ireland had been deprived of one of her firmest friends, and ablest advocates. Curran having some business to perform, was spending a day or two in the town of Sligo, and was occupied one morning at the window of his bed-room, arranging his portmanteau; when he was suddenly stunned by the report of a blunderbuss, discharged by some person immediately behind him; the panes of glass above his head were broken, and the entire room filled with smoke; the blunderbuss was found lying on the floor discharged, and, still more strange, the door of the room was shut, so as to lead to the conclusion that no one could have either entered or left the room; to add to all, a mechanic, who lived in a front room of the house at the other side of the street, loudly asserted that a *malicious* attempt had been

made upon his life. The mystery was, however, after some time, cleared up: a young boy, not quite ten years of age, who lived in the house, confessed, that provoked by some slight chastisement inflicted on him by Curran a short time before, he had hid himself behind the curtains, and while Curran was engaged at his portmanteau, taking deliberate aim, had discharged the blunderbuss at him; the room door had been lying open, through which, concealed by the cloud of smoke, he managed to escape, and closing the door after him, avoided detection.

The first case which established Curran's character at the bar, and ensured his future success, was tried at the Cork Summer Assizes for the year 1780; it was an action brought against an officer highly connected in the county, for an unmanly assault on an old man, "and a very poor one," the parish priest, Father Neal. The circumstances of this trial are well known; Curran alone was found daring and bold enough to undertake the poor man's cause—the result was a verdict in favour of his client; while, of course, a duel with St. Leger, the defendant, followed as a necessary consequence. Curran did not return St. Leger's fire.

The circumstances connected with this trial are peculiarly interesting, inasmuch as they show, how great and undue an influence men of wealth and rank possessed in that day, even over the administration of justice. We, at the present time, may well wonder that any difficulty should have existed in obtaining an advocate from among a numerous bar, to vindicate outraged justice, and enforce the law in favour of the oppressed; but though no means, however base and unjustifiable, were left untried to intimidate men from coming forward to defend the claims of poverty and justice, yet, such attempts seldom proved successful. The timorous were terrified, the venal bribed, and to those who disregarded the one, and disdained to receive the other, no alternative was offered but a hostile meeting—a meeting which, as society was then constituted, it was impossible to decline. About the same period, but on another circuit, events similarly strange occurred: Lord Mountgarrett, afterwards the Earl of Kilkenny, was involved in litigation with several of his tenants; their claims (so unjustifiable were Lord Mountgarrett's proceedings) were taken up, gratuitously,

by Mr. Ball, an attorney of the highest respectability, and several barristers of the circuit. When the cases came before the court for trial, it generally turned out, that Lord Mountgarrett's counsel were defeated; his lordship would, however, brook no defeat, at all events *according to law*, and forthwith determined to pursue a different course. He caused to be posted in the bar-room at the hotel, a paper, whereby he offered the members of the bar, in plain terms, the alternative of either fighting with him, or declining to hold brief against him. Mr. Blake had the honour of receiving the first challenge—it was accepted; a meeting took place, but no fatality occurred. Then came Mr. Ryan, a king's counsel; both parties, on this occasion, were wounded. After him followed the late well-known Peter Burrowes; the challenge was, in this instance, offered by Lord Mountgarrett's son, the Hon. Mr. Butler; and Burrowes's life was only preserved by reason of the pistol ball having struck against a penny which had remained from the evening before in his waistcoat pocket.

In the year 1783, Curran was returned to Parliament for Kilbeggan, and immediately joined, in the companionship of Flood who was also returned for the same borough, the ranks of the opposition. Lord Longueville, to whose influence he was indebted for his seat, hoped to find in Curran a ready and willing instrument to increase his own importance, and promote his own advancement; in this, however, his lordship was disappointed: on the very first opportunity which presented itself, Curran voted in direct opposition to his wishes, and when remonstrated with on the subject, honourably determined to appropriate "the only five hundred pounds he had in the world to the purchase of a seat, which he insisted on transferring as an equivalent for that of Kilbeggan." This conduct on Curran's part was only what we would have expected. Curran was too independent in his principles, to become the representative of a borough, shackled with an implied pledge to carry out the object of any patron, however influential; and was by far too high-minded to retain a seat, when he discovered that he was indebted for it, to the ungenerous expectation of his pursuing a line of conduct he could not conscientiously adopt. In the spring of the year 1790 he was elected for Rathcormac, which he continued to represent from that period to the year 1797.

As a specimen of Mr. Curran's eloquence in the senate, Mr. Phillips gives a limited extract from a speech delivered by him, and which he states is now, for the first time, published: we can only afford our readers a short portion of it.

"The present is the most awful and important crisis that Ireland ever saw, considering the actual state of the nation, of the empire, and of the war in which we are engaged. As to the original motives of the war, it is not the time to inquire into them; they are lost in the events; if they had been as pure as they have been represented, how much is it to be regretted that the issue has proved only, that it is not in mortals to command success! The armies of Europe have poured into the field, and surrounded the devoted region of France on every side; but, far from achieving their purpose, they have only formed an iron hoop about her, which, instead of quelling the fury of her dissensions, has compressed their spring into an irresistible energy, and forced them into co-action. During its progress, we saw the miserable objects for whom it was undertaken consumed in nameless thousands, in the different quarters of Europe, by want, and misery, and despair; or expiring on the scaffold, or perishing in the field. We have seen the honest body of the British manufactory tumbled into the common grave with the venal carcass of the Prussian hireling; we have seen the generous Briton submit to the alliance of servitude and venality, and submit to it in vain. The sad vicissitudes of each successive campaign have been marked by the defeat of our armies, the triumphs of our enemies, and the perfidy of our allies. What was the situation of the contending parties at the beginning of the contest? England, with Spain, with Austria, with Prussia, with Holland, with Ireland on her side; while France had to count the revolt of Toulon, the insurrection of Le Vendée, the rebellion of Lyons, and her whole eastern territory in the hands of her enemies. How direful the present reverse! England exhausted, Holland surrendered, Austria wavering, Prussia fled, and Spain fainting in the contest; while France, triumphant and successful, waves a military and triumphant sceptre over an extent of territory that stretches from the ocean and the Rhine to the Pyrenees and the ocean. I will not dwell upon this miserable picture; I will only observe, that during this long succession of disaster and defeat, Ireland alone, of all the allies Great Britain has, neither trafficked, nor deceived, nor deserted. The present distresses of her people attest her liberality of her treasure, while the bones of her enemies and of her children, bleaching upon all the plains of Europe, attest the brilliancy of her courage and the steadfastness of her faith."—(p. 125.)

This may be taken as a fair example of Curran's style of eloquence in the senate. It is admitted by all, that his speeches in that distinguished assembly fell far short, even in his own estimation,

of his efforts at the bar. We have not indeed the same opportunities for forming a just opinion of their respective merits; the Parliamentary debates were exceedingly badly reported at that time, and it is hardly fair that Curran's reputation as a Parliamentary debater should depend on the fortuitous attention or skill of a reporter; besides, too, his speeches in defence of state prisoners naturally excited far greater interest, and greater care was accordingly taken in catching as accurately as possible, the glowing sentiments which fell in quick succession from the lips of the advocate. Mr. Phillips here canvasses the popular error attempted to be deduced from the fact that Curran did not obtain the same celebrity for his speeches in the legislature, as at the bar—that a barrister should be incapacitated by his profession from sitting in either houses of Parliament. But really, the question is in our mind too absurd to entertain for a moment. Curran accounts for the disparity in his *own* case, in a very satisfactory manner—

“You must consider that I was a person attached to a great and powerful party, whose leaders were men of importance in the state, totally devoted to those political pursuits from whence my mind was necessarily distracted by studies of a different description. They allotted me my station in debate, which being generally in the rear, was seldom brought into action till towards the close of the engagement. After having toiled through the Four Courts for the entire day, I brought to the House of Commons a person enfeebled and a mind exhausted. I was compelled to speak late in the night, and had to rise early for the judges in the morning; the consequence was, that my efforts were but crude; and where others had the whole day for the correction of their speeches, I was left at the mercy of inability or inattention.—(p. 138.)

We must hurry along with this short sketch, and leave unnoticed the stormy debates and Parliamentary struggles of Curran's cotemporaries, and proceed to take a rapid view of his more brilliant efforts at the bar; to use Mr. Phillips's words, “we feel more at home with him at the Four Courts,” and we cannot but regret, that we can do little more than give an outline of some of the most remarkable of his speeches.

The first case of importance was the trial of Hamilton Rowan, for the publication of an address to the Volunteers of Ireland, from the United Irish Society. This was the first of a long series of state pro-

secutions, in which the history of those times may be studied with advantage. Rowan was convicted, sentenced to a fine of £500 and two years of imprisonment; and having been subsequently charged with the crime of high treason, he contrived to make his escape to France in a small fishing-boat. He ultimately returned again to Ireland, in 1805, having previously obtained the King's pardon. In Curran's defence of Mr. Rowan, the following very beautiful passage occurs:—

UNIVERSAL EMANCIPATION.

“ This paper, gentlemen, insists on the necessity of emancipating the Catholics of Ireland; and that is charged as part of the libel. If they had waited another year—if they had kept this prosecution impending for another year, how much would remain for a jury to decide upon, I should be at a loss to discover. It seems as if the progress of public information was eating away the ground of the prosecution. Since its commencement this part of the libel has unluckily received the sanction of the legislature. In that interval our Catholic brethren have re-obtained that admission which, it seems, it was a libel to propose. In what way to account for this I am really at a loss. Have any alarms been occasioned by the emancipation of our Catholic brethren? Has the bigoted malignity of any individual been crushed? or has the stability of the government or that of the country been weakened? or is one million of subjects stronger than four millions? Do you think that the benefit they have received should be poisoned by the sting of vengeance? If you think so, you must say to them, you have demanded emancipation, and you have got it; but we abhor your persons, we are outraged at your success, and we will stigmatise, by a criminal prosecution, the adviser of that relief which you have obtained from the voice of your country. I ask you, do you think, as honest men, anxious for the public tranquillity, conscious that there are wounds not yet completely cicatrised, that you ought to speak this language at this time to men who are very much disposed to think that, in this very emancipation, they have been saved from their own parliament by the humanity of their sovereign? or do you wish to prepare them for the revocation of these improvident concessions? Do you think it wise or humane at this moment to insult them by sticking up in a pillory the man who dared to stand forth as their advocate? I put it to your oaths: do you think that a blessing of that kind—that a victory obtained by justice over bigotry and oppression, should have a stigma cast upon it, by an ignominious sentence upon men bold enough and honest enough to propose that measure—to propose the redeeming of religion from the abuses of the church, the reclaiming of three millions of men from bondage, and giving liberty to all who had a right to demand it; giving, I say, in the so much censured words of this paper—giving ‘universal emancipation.’ I speak in the spirit of the

British law, which makes liberty commensurate with, and inseparable from British soil—which proclaims even to the stranger and the sojourner, the moment he sets his foot upon British earth, that the ground on which he treads is holy, and consecrated by the genius of universal emancipation. No matter in what language his doom may have been pronounced—no matter what complexion, incompatible with freedom, an Indian or an African sun may have burnt upon him—no matter in what disastrous battle the helm of his liberty may have been cloven down—no matter with what solemnities he may have been devoted upon the altar of slavery—the moment he touches the sacred soil of Britain, the altar and the god sink together in the dust; his soul walks abroad in its own majesty; his body swells beyond the measure of his chains, which burst from around him, and he stands, redeemed, regenerated, and disenthralled, by the irresistible genius of *universal emancipation*.”—(p. 176.)

Rowan's case was followed in the succeeding year (1794) by the trial of the Rev. W. Jackson: convicted at the bar of justice, when called up for judgment, he anticipated the vengeance of the law, and expired in court from the effects of poison administered by his own hand.

The following passage from his defence of Mr. Peter Finnerty, proprietor of the Press newspaper, who was charged with having published a libel on Lord Camden's administration, and whose trial occupies the next place in order, in Mr. Phillips's work; exhibits the skilful advocacy whereby Curran was accustomed to lead and captivate the feelings of a public assemblage, in favour of the accused. The subject of the libel was the untimely execution of Orr:

“But, gentlemen, in order to bring this charge of insolence and vulgarity to the test, let me ask you whether you know of any language which could have adequately described the idea of mercy denied, when it ought to have been granted, or of any phrase vigorous enough to convey the indignation which an honest man would have felt upon such a subject? Let me beg of you for a moment to suppose, that any one of you had been the writer of this very severe expostulation with the Viceroy, and that you had been the witness of the whole progress of this never-to-be-forgotten catastrophe. Let me suppose that you had known the charge upon which Mr. Orr was apprehended—the charge of abjuring that bigotry which had torn and disgraced his country, of pledging himself to restore the people of his country to their place in the constitution, and of binding himself never to be the betrayer of his fellow-labourers in that enterprise—that you had seen him upon that charge removed from his industry, and confined in a gaol—that through the slow and lingering progress of twelve tedious months,

the Provost-marshal that a writ is preparing to suspend Mr. Tone's execution, and see that he be not executed.

"In a short time, the Sheriff having returned, thus addressed the Court:—'My Lord, I have been to the barracks in pursuance of your order, the Provost-marshal says he must obey Major Sandys; Major Sandys says he must obey Lord Cornwallis.'

At this time Mr. Curran announced the return of Tone's father, with a message that General Craig refused to obey the writ of habeas corpus.

"CHIEF JUSTICE.—Mr. Sheriff, take the body of Tone into custody; take the Provost-marshal and Major Sandys into custody; and show the order of the court to General Craig."—(p. 216.)

Passing over the trial of the Sheares, and the melancholy events of that tragic year, we are led to the consideration of that "gigantic scheme" of political fraud, the Act of Union. It is hardly necessary to state that Curran's opinions and sentiments were opposed to the passing of that measure; he saw its necessary consequences and inevitable results. In the year 1796 he stated that "a Union with Great Britain would be the emigration of every man of consequence from Ireland. * * * It would be the extinction of the Irish name as a people. We should become a wretched colony, governed by a few tax collectors and excisemen, unless possibly you may add fifteen or twenty couple of Irish members, who might be found every session sleeping in their collars under the manger of the British minister." (p. 244.) The experience of years has established the truth of this prophecy; and it is only left us now to lament, that the words of the poet are applicable to Curran—

—"dei jussu, non unquam credita Teucris."

But though no one can, even for a moment, defend the means whereby, or the unseemly haste with which, the Act of Union was passed through the Irish Houses of Parliament; though no one can justify in any case an act of suicide or gross breach of trust; yet we agree fully with Mr. Phillips in thinking, that that measure cannot be now *reconsidered* with a view to its repeal.

"Can it be doubted (says Mr. Phillips) that where a fertile soil, a salubrious climate, unworked mines, wasted water-force, abundant fisheries, and every temptation to commercial enterprise, invite British investment, capital would long ago have filled the land with happiness and plenty, were it not for the wild and wicked war-whoop which warns it away? With the attainment of Roman Catholic Emancipation agitation should have ceased

in Ireland ; and until it does cease, the country must retrograde. He who can educate Ireland into this truth, will be her real patriot, her best benefactor. No Repeal is wanted.”—(p. 243.)

And again, after describing the venality of the Irish members, and “plebeian peers” of that period, he writes—

“Who can recollect the returns consequent on the Emancipation Act—who can even now behold the iron despotism openly influencing every Irish election, and doubt for a moment of what materials their parliament would be composed, or by whom it would be packed, or what unhallowed acts it would be compelled to perpetrate? No, no: honest representatives can well serve their country in an English senate should they feel so disposed; and of the dishonest, to sell it in a native one, we have had enough.”—(p. 256.)

These are the sentiments of Mr. Phillips, written in the year 1850, and with them we fully agree. As we are on the subject of the Union, we cannot forbear, numerous as have been our quotations, from referring to the eloquent address of the present Lord Plunket, when that measure came before the consideration of the house—

“Sir,” said Mr. Plunket on the Union debate, “I thank the administration for this measure. They are, without intending it, putting an end to our dissensions. Through the black cloud which they have collected over us, I see the light breaking in upon this unfortunate country. They have composed our dissensions, not by fomenting the embers of a lingering and subdued rebellion—not by hallooing Protestant against Catholic, and Catholic against Protestant—not by committing the north against the south—not by inconsistent appeals to local or to party prejudices—no!—but by the avowal of this atrocious conspiracy against the liberties of Ireland, they have subdued every petty and substantive distinction; they have united every rank and description of men, by the pressure of this grand and momentous subject; and I tell them, that they will see every honourable and independent man in Ireland rally round the constitution, and merge every other consideration in opposition to this ungenerous and odious measure. *For my part, I will resist it to the last gasp of my existence and with the last drop of my blood; and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar, and swear them to eternal hostility against the invaders of their country’s freedom.* Sir, I shall not detain you by pursuing this question through the topics which it so abundantly offers. I should be proud to think my name should be handed down to posterity in the same roll with those disinterested patriots who have successfully resisted the enemies of their country—successfully, I trust it

will be. In all events I have my exceeding great reward. I shall bear in my heart the consciousness of having done my duty; and in the hour of death I shall not be haunted by the reflection of having basely sold or meanly abandoned, the liberties of my native land. Can every man who gives his vote this night on the other side, lay his hand upon his heart and make the same declaration? I hope so: it will be well for his own peace. The indignation and abhorrence of his countrymen will not accompany him through life, and the curses of his children will not follow him to his grave. I in the most express terms deny the competency of Parliament to do this act. I warn you, do not dare to lay your hands on the constitution. I tell you that if, circumstanced as you are, you pass this act, it will be a nullity, and that no man in Ireland will be bound to obey it."— (p. 292.)

After the Act of Union was consummated, and during the temporary peace of 1802, Curran visited Paris. Here also, "his temper was soured, and he saw everything with a jaundiced eye," and after a short absence, returned to Ireland. Shortly after his return he was engaged as counsel for the plaintiff in the celebrated case of *Hevey v. Sirr*; an action for false imprisonment. For the circumstances of this extraordinary trial, we must refer to Mr. Phillips's work. We scarcely remember to have ever read a case, where the facts disclose so gross a violation of every principle of constitutional justice. There is but one case only, as far at least as we are aware, which admits of comparison, and which, as Mr. Phillips has not referred to, we will shortly notice. Mr. Wright, a teacher of the French language, resided at Clonmel; he was a quiet, inoffensive man, and assiduously avoided all transactions which might render himself obnoxious to the government; and was, moreover, employed professionally by several families of the highest respectability and distinction in the neighbourhood. In fact, Mr. Wright was the very last person in the world to engage in treasonable designs. Mr. Fitzgerald, the defendant in the action, was a magistrate; and Wright having heard that some charges of a seditious nature were made against him, and naturally feeling anxious to anticipate his accuser, and establish his own innocence, proceeded to Mr. Fitzgerald's residence, in order, if possible, to convince him of the falseness of the charges which were made against him. Mr. Fitzgerald was out on the occasion of his first visit, but on the following day finding him at home, Mr. Wright, in the presence of a

friend, explained the object which he had in view. We will allow Mr. Burrowes to finish the story in his own words.*

"Mr. Fitzgerald, drawing his sword, said, 'Down on your knees, you rebellious scoundrel, and receive your sentence.' In vain did the poor man protest his innocence; in vain did he implore trial on his knees: Mr. Fitzgerald sentenced him to be first flogged and then shot. The unfortunate man surrendered his keys, to have his papers searched, and expressed his readiness to suffer any punishment the proof of his guilt could justify—but, no: this was not agreeable to Mr. Fitzgerald's principles of justice; his mode was, first to sentence, then punish, and afterwards investigate. His answer to the unfortunate man was: 'What, you Carmelite rascal, do you dare to speak after sentence?' and then struck him, and ordered him to prison. Next day this unfortunate man was dragged to a ladder in Clonmel-street, to undergo his sentence. He knelt down in prayer, with his hat before his face. Mr. Fitzgerald came up, dragged his hat from him, and trampled on it; seized the man by the hair, dragged him to the earth, kicked him, and cut him across the forehead with his sword; then had him stripped naked, tied up to the ladder, and ordered him fifty lashes.

A Major Ryal, an officer, happening to pass at the time, asked Mr. F. the cause for which the wretched man was punished: a note was handed to him, from which, as he was informed, he would ascertain the justness of the sentence, Mr. F. adding, that he did not himself understand French, though he understood Irish. Let the reader imagine, if he can, the contents of the letter:

"SIR:

"I am exceedingly sorry I cannot wait on you at the hour appointed, being unavoidably obliged to attend Sir Laurence Parsons.

"Yours,

"BARON DE CLUES."

Mr. Burrowes continues the narrative in the following words—

"Notwithstanding this translation, which Major Ryal read to Mr. Fitzgerald, he ordered one hundred lashes more to be inflicted, and then left the unfortunate man, bleeding and suspended, while he went to the barracks to demand a file of men to come and shoot him."

This, however, was refused, and he was again removed to gaol. For such injuries, almost incredible at the present day of the world,

* Select Speeches of the late Peter Burrowes, Esq. K.C. By Waldron Burrowes, Esq., Barrister-at-Law. Dublin: 1850.

an action was brought against Fitzgerald, and a verdict for £500 damages, was awarded against the defendant.

On the 23rd June, the insurrection of 1803, under the leadership of Robert Emmet, suddenly broke out in Dublin. The name of Robert Emmet, even to the present time, excites feelings of commiseration and pity; and so intimately is his name connected with the history of Curran's life, that we seldom hear the latter spoken of, without the melancholy fate of the former being present to our minds. Robert Emmet was the youngest of three brothers, and had imbibed in his early childhood, from the instruction of his father, the strongest feelings of patriotism, and devotion to the service of his country. The eldest, Temple, was called to the Irish bar, and after a brilliant but short career, died at an early age. Thomas Addis, the second, adopted the profession of his deceased brother, but becoming implicated with the government, finally succeeded in escaping to America; while the fate of Robert, the youngest, closed the sad page of the history of this ill-fated family. Emmet was but twenty-three years of age at the period of his death. "He had been educated at the University, and for his demeanour, his talents, and his virtues, was admired, respected, and beloved; his mind was naturally melancholy and romantic; he had fed it from the pure fountain of classic literature, and might be said to have lived not so much in the scene around him, as in the society of the illustrious dead."

The ardent affection which Emmet entertained for Curran's daughter is well known, and the fact that he might, in all probability, have escaped the painful death (ignominious, we cannot call it) which he afterwards suffered, had he not lingered about the residence of his "love Sarah" to bid one last adieu, has thrown the genius of romance over his eventful life, and wrapped its mantle around his dying moments. The following are the last words he ever uttered in public. A verdict of guilty had been returned by the jury, and the usual question, why judgment of death and execution should not be awarded against him, was put to the prisoner. After some observations, in the course of which he was interrupted by Lord Norbury, who unfeelingly told him, he disgraced his father's and his brother's memory, by associating with himself, "hostlers, bakers, butchers, and such persons," Emmet spoke as follows—

"If the spirits of the illustrious dead participate in the concerns of those who were dear to them in this transitory scene, dear shade of my venerated father! look down on your suffering son, and see has he for one moment deviated from those moral and patriotic principles, which you so early instilled into his youthful mind, and for which he has now to offer up his life!

"My Lord, you are impatient for the sacrifice. The blood which you seek is not congealed by the artificial terrors which surround your victim; it circulates warmly and unruffled through its channels, and in a little time will cry to heaven! Be yet patient, I have but a few words more to say. I am going to my cold and silent grave; my lamp of life is nearly extinguished. I have parted with every thing that was dear to me in this life; and, for my country's cause, with the idol of my soul, the object of my affections. My race is run; the grave opens to receive me, and I sink into its bosom. I have but one request to ask at my departure from this world, it is the charity of its silence. Let no man write my epitaph; for as no man who knows my motives dare now vindicate them, let no prejudice or ignorance asperse them. Let them rest in obscurity and peace, my memory be left in oblivion, and my tomb remain uninscribed, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written. I have done."—(p. 305.)

Curran refused to act on behalf of Robert Emmet at the trial.

The following anecdote must prove interesting to our readers—

"One day previous to his trial, as the governor was going his rounds, he entered Emmet's room rather abruptly; and observing a remarkable expression in his countenance, he apologised for the interruption. He had a fork affixed to his little deal table, and appended to it there was a tress of hair. "You see," said he to the keeper, "how innocently I am occupied. This little tress has long been dear to me, and I am plaiting it to wear in my bosom on the day of my execution!" It need scarcely be stated, that the tress was Miss Curran's—she was in his heart till it ceased to beat."—(p. 306.)

After this melancholy period had passed away, and time had somewhat alleviated the sorrows, and cicatrized the wounds inflicted by exacting justice, Mr. Curran was continuously employed in every matter of importance or of public interest. In the celebrated abduction case of *Pike v. Hayes*, he was brought down specially to Cork to prosecute; and as the duties of a prosecuting counsel are admirably defined by Mr. Curran in this case, we will trespass on our readers' patience with one extract more:—

"It is the privilege, it is the obligation of those who have to defend a client on a trial for his life, to exert every force, and to call forth every resource that zeal, and genius, and sagacity can suggest. It is an indulgence in favour of life; it has the sanction of usage; it has the permission of humanity; and the man who should linger one single step behind the most advanced limit of that privilege, and should fail to exercise every talent that heaven had given him in that defence, would be guilty of a mean desertion of his duty, and an abandonment of his client. Far different is the situation of him who is concerned for the Crown. Cautiously should he use his privileges; scrupulously should he keep within the duties of accusation. His task is to lay fairly the nature of the case before the court and the jury. Should he endeavour to gain a verdict otherwise than by evidence, he were unworthy of speaking in a court of justice. If I heard a counsel for the crown state anything that I did not think founded in law, I should say to myself, God grant that the man who has stated this may be an ignorant man, because his ignorance can be his only justification. It shall therefore be my endeavour so to lay the matters of fact and of law before you, as shall enable you clearly to comprehend them; and finally, by your verdict, to do complete justice between the prisoner and the public."—(p. 324.)

Curran's celebrated speech in the case of *Massey v. Lord Headford* is given in full by Mr. Phillips, as an appendix.

In 1806 Curran was elevated to the bench as Master of the Rolls, succeeding Sir M. Smith, as Judge of that Court. He does not appear however, to have been well qualified for that office; the technicalities of the Rolls being suited neither to his habits, his knowledge, or his taste.

In the year 1812, while he still continued to hold office, he was solicited by the electors of Newry to stand for that borough; he responded to their proposal, but after a six-day contest was defeated; the successful candidate being a General Needham. In the following year he resigned his seat on the bench, in consequence of ill health; his spirits were broken, "his dearest child had withered, under the last blow that struck his country, and all that remained at home had been possessed by a villain."* We gladly spare ourselves the pain of following Curran's narrative through the last few years of his life. He died in London, in the month of October, 1817, surrounded by several of his children and dearest friends. His

* Curran's Speeches, with a Memoir, by a Barrister. Dublin: 1843.

remains were privately interred in Paddington Church; they have since been lately removed to his native land, and they now repose in Glasnevin Cemetery. Such was Curran—"In evil days, erect amidst the grovelling, pure amidst the tainted; in public life the most consistent of patriots, in private the most exquisite and enchanting of companions."—(p. 373.)

The limits of our space, and the deep interest attached to Curran's life and actions, have necessarily compelled us to pass over unnoticed several of his cotemporaries. In a sketch like the present, we could hardly be expected to notice severally the public career of Scott, Burgh, Hutchinson, Roach, Yelverton, Grattan, Flood, Fitzgibbon, Rowan, Tone, and several others, who are introduced by Mr. Phillips to his readers, in a rather confused and unsatisfactory manner. We must also say, that to our minds, the narrative of Mr. Curran's life appears to have been broken through unnecessarily often; and that it requires, a more than ordinary degree of attention on the part of the reader, to enable him, when he comes to the conclusion, to connect together the narrative, so as to have *one* comprehensive view of Curran's life. At some future time we shall probably recur to Curran's cotemporaries.

The work itself is enriched with numerous anecdotes, but our space is too limited to indulge the curiosity of our readers in this respect; besides, we do not wish to consider them, as belonging to that class of whom it might be said—

"Parva leves, capiunt animos."

We must now take leave of Mr. Phillips, for the present at all events. On the whole, we can, we think, safely recommend his work, as an interesting and instructive addition to the library of the Irish gentleman.

ART. IV. — THE PRESENT CONDITION AND FUTURE PROSPECTS OF THE IRISH BAR.

MORE than one hundred and twenty years ago, the great Chancellor of France wrote, that the profession of the lawyer was "nobility without title, rank without birth, and riches without an estate." Very possibly, in the days of Louis XV., D'Aguesseau may have found the profession of the law to be all that he has represented it; but, alas! in our time, things are sadly altered, at least for the lawyers; all men know that the profession of the law is not "nobility without title," and everybody, from a chief justice to a tipstaff, feels, that it is very far indeed from being "riches without an estate." Young men sigh over the remembrance of the years cast away in preparing for the business, or the advancement, which may never arrive, and old men repine at the degeneracy and want of legal pugnacity of the present age.

We are writing in the Gallery of the Four Courts' Library, and have, what may be considered, a bird's-eye view of the working and reading portion of the Irish bar. We see below us the laughing, jovial *Nisi Prius* man, recounting the pleasant stories of circuit doings, of dishonest witnesses driven into truth, of unwilling jurors cajoled into acquiescence. We mark the grave Equity lawyer, with hand thrust deep into his pockets, and looking as if his single brain contained all the cases of Vesey, and all the luminous erudition of poor Spence. We observe the gay-hearted, light-pursed juniors, disputing the merit of the questions furnished by "THE LEGAL AND HISTORICAL," or considering the probable effects of the fee-annihilating "*Process and Practice Act*." And though last not least, we have before us, that hardest worked, and worst paid body of professional men in Europe, the Irish Common Law lawyers. Though looking down upon the busy scene, fancy bears us back to the glorious past of the Irish bar, and we recall the flashing wit, the ever-flowing, ever-springing humour, the eloquence, the patriotism, the unflinching courage of its members. Undaunted in the love of Ireland's independence, at a period when patriotism was a species of petty treason—uncontaminated by bigotry, in an age when by law

the Roman Catholic was a slave in the land, the touching of whose soil is the emancipation of the bondman—unstained by bribery, at a time when public honour was a marketable commodity—honest, in the days when political prostitution was the earliest step to preferment; when he who sold himself the first, the readiest, and the easiest, was considered the best friend of the Government, and the most loyal subject of the king. These were the glorious days of the bar, the dark ones of Ireland; and if the saying of De Quincey be true, that “dates may be forgotten, epochs never,” we would make these days, dates for our country, but immortal epochs for our profession. We trust the profession is not altered in any of these essential particulars. We know that there are at present amongst its members, men of genius as brilliant, of patriotism as pure, of mental power as deep, as ever distinguished the bar. And we are quite satisfied, that as a body, the Irish lawyers of this day, far excel those of the past, in all branches of legal learning, whether of constitutional, common, criminal, or equity law. We know not if this latter improvement be the result of the world’s progression in mental culture, and of the necessity men find of keeping pace with the lawyers of other countries in all knowledge; or whether it be the necessary consequence of that conviction, which our profession feel, that he who would obtain promotion must be, not only a barrister, but also a lawyer, and that connection alone, without some decent share of learning, will not entitle him to advancement. Whether the improvement spring from these sources, or any of them, we will not say, but the change is plain to every man, patent to all the world; and it is one of those improvements at which we may feel an honest and true satisfaction.

But whilst we thus openly and fairly express our opinion of the bar, and express it too in a manner which may expose us to the imputation of an egotistic *esprit de corps*; we cannot conceal from ourselves, we will not conceal from others, the fact, as it appears to us, that the profession is at this moment in a position most perilous to its integrity as an independent body. For the past fifty years the bar has been the goal of the ambitious scion of the middle classes in Ireland. Our trade is annihilated—our manufactures are ruined; or but sufficient to enable the manufacturer to drag out a miserable

living; thus, the man who has spent his life in trade is unwilling to place his son in a position in which he must too often live, hoping against despair; therefore he sends him to the bar, and thinks that he thus puts him in the way of advancement, and perhaps of riches. And the young man enters the profession with high hopes and noble praiseworthy aspirings. We all remember that Gil Blas when setting out on his travels fancied himself "*la huitième merveille du monde*," and so it is with our young barrister. We never knew a young man enter the profession who did not mean to quit it, and the world, a Chief Justice or a Chancellor; and it is only when he has been six years—that magic six years—at the bar, and when the "iron realities" of life, have, as Douglas Jerrold would say, "rubbed the bloom off the peach of existence," that he begins to feel, although a possible chancellorship may be, and is, a very agreeable thing; yet that an assistant-barristership in possession is still better.* With this conviction upon his mind he commences the chief labour of his life. The prize of all his present hope is before him, he will do nothing to forfeit it. He cannot join this society, because it may displease the Viceroy; he cannot join that, because it may be distasteful to some body else. There is no safe place of social refuge for him but the Dublin Society; he flings himself into its learned embraces, he is a regular attendant at its *reunions*, and he goes, with a grave learned face and pleasingly combed hair, to the meetings of the Statistical Society. Let us be understood. We do not object to any man's pushing his way through the world boldly, stoutly, and perseveringly.

—Rem facias; rem,

Si possis recti; si non, *quocunque modo rem*,

says Horace, and so say we, barring the words in italics. We do not object to any man's seeking for that advancement in his profession to which he has a claim, but this same system of deference to the will of the authorities, this same anxiety to please, this gentle rose-water and kid-glove suavity of manner, this coyish, nervous hesitation in public conduct, has extended not only to those who look for the comparatively paltry office of Assistant Barrister, but appears in

* The office of Assistant-Barrister is put only as an example, as being the first appointment to which the lawyer can aspire.

a great measure to affect all those who have any pretensions to expect promotion. This, we know, is a bold truth, and to write it in a publication devoted to advance the interests of the bar, is still more bold; but as it is true we write it, though with pain, and sorrow, and humiliation, and we feel bound to state it, because the *IRISH QUARTERLY REVIEW* is meant for the advancement of the real and lasting, not the apparent, interests of the profession. The bar, as a body, is utterly and entirely powerless. It is as nothing in the judgment of the minister. The genius, the learning, the eloquence of the members are of no weight whatever; and placed in the balance against the slightest wish of a Westminster Hall Nestor, or the absurd theory of a cheese-paring political economist from Manchester, all the extemporaneous energy of the Irish bar is but as a feather in the scale. This is a melancholy state of things—melancholy in the present, and most melancholy in the possible future. And how, the reader may ask, is this condition of the bar brought about? The answer is plain: by the conduct of the profession itself. To that conduct we have just referred, to its results we have with regret directed attention, and we now pass to its further effects, and to some most galling, because very recent, insults.

We have with pride looked back to the glorious days of the bar: we have seen that as time rolled on, as trade glided from our shores, and manufactures passed to the more enterprising and happy sister island, that the Four Courts became the rallying point for all the aspiring talent of the country. Holding, as the profession does, a high place in the society of Ireland, social, gay, and educated; and anxious, as all men are, to enjoy the society of the great, the bar have taken advantage of their position, and have become the regular attendants at the Castle, and the *habitués* of the Viceregal Lodge. Thus exposed, they have been ever the easy dupes of the Viceroy of the time, and their political feelings have been made the chief medium of their political enslavement. The blandishments of the Castle, the frippery and meretricious glare of the Levee, the brilliant fascinations of the glittering Drawing-room, all these have been in turn used to seduce the barrister from the allegiance due to his profession; and many a man whose support could not be obtained by a bribing place, has been lured over to aid the schemes of the

dominant party by the flattering empressment of a Lord Lieutenant, or has succumbed in a moment of weakness, overcome by a well managed, properly conceded polka. The two great bodies, Whig and Tory, into which the bar is divided, have been in turn played one against the other; the Catholic has been pushed forward by one Viceroy, no matter how incapable of doing justice in his office; by another the Protestant has been thrust upward, no attention being given to his qualifications; and in too many instances the politics and political services of the appointee have been alone considered, and slashing newspaper articles, or magazine tirades, have had more weight than legal learning, or professional acquirements. Thus the bar has been weakened, its force divided, its most powerful energies rendered useless, or worse—ridiculous. English chancellors, English commissioners, English court officers have overrun the bar. Chancellors have been appointed whose sole claim to the honour in Ireland was political. Within the last fifteen years the Irish bar has been three times passed over, that English lawyers might be thrust into the Chancellorship. First came Sugden, who held office for three months in 1835. Next came Campbell; to make way for him Plunket was jockeyed into resignation. It was of no moment whatever that the Irish bar were insulted in the person of their head. It was of no consequence that when Plunket was appointed Master of the Rolls in England, the bar of *that* country indignantly, and successfully, and properly repelled the galling outrage. It was not worth a moment's thought that the Irish Chancellor was the last great man of a mighty era. Campbell, the Government *protege*, was to be provided for; the ministry was tottering; the Irish chancellorship was the only available gift within their grasp; so the Irish lawyer was cast aside, the Scotch importation hurried into office, from which he retired in three months, to enjoy his pension, and to laugh at the dishonour, the disunion, and the weakness of the Irish bar. In 1841, Sugden, "with a manner that rankled in the mind of every gentleman, and gained him credit for having broken the heart of one, and driven another from his court,"* came a second time. His profound learning, and great quickness of comprehension, were ex-

* "The Whig Law Appointments fairly Considered," p. 8.

pended in snarling at the decisions of Lord Plunket; his chief energy appeared directed to drilling the solicitors; and his great pleasure seemed to consist in insulting those of the bar who did not resent it; and in snubbing those who were too manly to endure tamely his insolence.*

And is the system of appointing English lawyers yet at an end? THE COURT FOR THE SALE OF INCUMBERED ESTATES, is a sufficient answer. The Irishman who attends that court sees upon the bench above him, in the person of the third Commissioner, not an Irish lawyer well read in the laws and customs of his country; not one who has grown old in the pursuit of professional learning; not a man known to the country and the bar, at whose promotion all might feel a just satisfaction—no, no; the Irish bar is simply the *Irish* bar, to it no respect, or deference, or consideration is due, so the third Commissioner for the Sale of Incumbered Estates in IRELAND is an Englishman, an English barrister, and called to to that bar in the year 1844—a man who, when sent here as a Commissioner, at a salary of £2000 a-year, had not sufficient standing to obtain (if called to the Irish bar) an assistant-barristership. Now, reader, what think you of the appointment of Mr. Charles James Hargreave, Conveyancer, late of 69, Chancery-lane, London? If you be an Irish barrister, no doubt you feel elation, and satisfaction most ineffable. And why, it may be asked, was this appointment made? For the simple reasons: first, that it suited the pleasure of somebody in office; and secondly, because the bar were not in a position to oppose it. The appointment, reader, was not made because there were no lawyers fit to fill the office in Ireland, or because Mr. Hargreave is more learned than many Irish barristers called in the year 1844. But no matter from what cause the nomination may have arisen, it sprang from no want of Irish lawyers; and but for the wretched condition to which the profession

* We do not mean for a moment to detract from the merit of Sir E. Sugden as a lawyer. We believe also that he did good service to the suitors of the Court of Chancery. He was, however, a regular martinet—with all the faults and all the merits of that unenviable character. Our complaint is, *not* that a lawyer great or ignorant was appointed, but that the appointee was an English lawyer, and that the Irish bar, with the example of the English, tamely endured the insult.

is reduced, we could with ease have shown this Government, or any other, very good, and very sufficient reasons for recalling Mr. Hargreave to London, and enabling him to cultivate a respectable conveyancing business in the shady precincts of Lincoln's Inn.

We have observed that there is no want of Irish lawyers, and truly we are right. There are at present at the Irish bar 1,380 members. Of these, 635 are subscribers to the Four Courts' Library, and therefore a working bar, or willing to work. The circuit lists number 530 members. This is a formidable array, and we venture to assert, that amongst these 1,380 there are as learned, as eloquent, as educated men as in any other professional body in the world. And yet how little can they do! how poor, and miserable, and weak are all their efforts to advance the profession, or to check the aggression of the Government. Does this last statement require proof? If so, we give it. During an hour of happy inspiration, the law advisers in England thought fit to turn the attention of Parliament upon the state of legal affairs in Ireland. And after much consultation of *English* sages, the Act known to lawyers as the 13 Vic., c. 18, was passed. It has been said, and there can be no doubt as to the truth of the aphorism, that the sons of men of genius seldom possess the great gift of the father, and if indeed there could be any question of the maxim's truth, Sir John Romilly would afford a most perfect exemplification of its correctness. We have, however, nothing to do with the exact amount of brains conceded to Sir John, or with the blundering absurdity introduced into the Process and Practice Act by our noble, adventurous, and facetious countryman, Lord Glengall—blunders which can never be forgotten, whilst the Amendment Act shall remain upon the statute-book, a memorial of Parliamentary pleasantry, more laughable than the little deceptions of Doctor O'Toole, and more ridiculous than the Doctor's ideas of Bell's and the Lancastrian system. But upon the subject of this same bill we have some observations to make. We have to express our deep indignation at the manner in which it was passed—passed as if it were meant for the regulation of some petty consul upon the coast of Africa. No commission was issued to inquire into the state of the law, and to report to the Commons upon it. The chief judges of Ireland were

not consulted, but, by the Act, they were directed to make rules. Rules proved necessary by whom? By *the English law advisers*. Well, for once in many years, the Irish bar seemed resolved to reassume its old position of honourable self-respect. The bar met. Holmes, the last of those who, in the old time, thought life and prospects of advancement as nothing, when compared with the advantage and honour of their profession and country; Whiteside, with his quick fancy and vivid eloquence; Fitzgibbon, with his sound sense, and plain, unvarnished, honest reasoning; these were at the meeting, lending the full weight of their position to its objects. The great body of the bar attended too. But what could the speeches or resolutions avail? The men who were united then to pass their opinions upon the measure before Parliament, were disunited the day before, and would be disunited as widely the next day. What could all the quick extemporaneous energy, the burning eloquence, the powerful reasoning do? There was no power in the members to make their resolutions respected; the disunion which had weakened the profession for years was too well known, and the contemptuous manner in which the bill was passed, could only be equalled by the cool and quiet superciliousness of reception afforded to the bar meeting resolutions. If the Government wished to show us the position in which we stand, if the Minister were desirous to teach us the little weight our wishes can command, it would be impossible to devise a method more certain than this we have been considering. Why is not the Irish bar as united as the English? Why are they not banded together like the Scotch? Why is the Whig lawyer, why is the Tory lawyer, to forget the profession, and think only of party interests? These are the questions which suggest themselves to every thinking man in Ireland; and the result of all thought upon the subject must be, that if the Irish bar shall be merged or swamped in the English, this pitiable misfortune must be brought upon the country by the folly and dissension of the bar themselves.

There is another subject to which we wish to draw the attention of the profession, namely, the boasted patronage extended to it, by the nomination of its members to colonial appointments. And indeed, when one considers some of these appointments, the

predominant feeling must be, astonishment at anybody having been found willing to accept them. True, a man who has come to the bar trusting to support himself by honourable labour in his profession, who finding himself disappointed, may be willing to accept any office, not caring what or where, thinking in the words of Alfred Tennyson's hero,

"What is that which I should turn to, lighting upon days like these?
Every door is barr'd with gold, and opens but to golden keys.
Every gate is throng'd with suitors, all the markets overflow."

Such a man may be willing to risk his life for the chance of a retiring pension. He may go as judge or assessor to some deadly climate, he may drag out a few years of sickly life amidst the swamps or reeking forests of a distant settlement, and if blessed with a particularly strong constitution, he may return with a diseased brain or a perforated liver, to the astonishment of all his friends, who had advised him when going out to apply to Government for his funeral expenses in advance. These are the appointments to which Irish barristers may aspire. They make good assessors in Timbuctoo, or Queen's advocates in Sierra Leone, but they must on no account expect a Third Commissionership in Henrietta street.

But it may be urged, that the colonial appointments of the Irish bar are not all confined to these "City of Edenish"* settlements. We are quite aware that Mr. Crawford has been sent to Adelaide as a judge; we know too, that Mr. Jeffcott has been transported as recorder to Singapore, where he revels in the astounding dignity of knighthood. These are the best appointments which have been lately made, and when they are cited as glowing examples of the good things given to the Irish bar, one feels inclined to exclaim with the logicians, "*Non valet argumentum a particulari ad universale.*" These are the appointments so much boasted, and, as it is stated in England, so unfairly given to the Irish lawyers. We are not now about to write at length upon them, but we propose in our next number to show the entire system of colonial appointments in its true light, and to expose the monstrous fallacy, the deep injustice, and complete misconception which now prevail upon the subject.†

* See Charles Dickens's Martin Chuzzlewit.

† The Irish bar owe a debt of deep gratitude to Mr. Sadleir, M.P. for

There is yet another cause which has had no small share in reducing the bar to its present condition. It is a cause upon which one feels unwilling to touch; however, we think ourselves bound to notice it, as it has set man against man, and in too many instances, has caused the feeling of religious bigotry to exhibit itself in places to which it should never have obtained entrance. We refer to the system adopted by various administrations, of making the profession of a particular religion the best claim to legal promotion. We object to political claims *alone* being considered the best entitled to precedence. We object to family influence being looked on as the first step to advancement. We detest the practice of giving place to him who has immolated his honour as a man, before the shrine of self-interest, or who has prostituted the dignity of his profession, and played the politico-literary flunkey to a Viceroy. But bad as a system of promotion upon any of these grounds would most unquestionably be, we look upon this, of advancing a lawyer solely because he is a Catholic or a Protestant, as still more unworthy, and more disgraceful to any administration. It has, however, been tried, and tried with success; its object being to weaken the bar as a body, by introducing jealousy, dissension, and division amongst its members. But have the professors of either religion been in any degree benefited by the system? Have Catholics been pushed onward according to the hopes held out to deceive and betray? Has the Protestant portion of the bar been placed in the ascendant, as might have, from Government promises, been not unreasonably expected? We are of opinion, that each section has been in turn most flagrantly fooled into partisanship with the ministry of the day, and thrown aside as an instrument having done its work, when the difficulty of the hour had passed. True, it may be said the Catholic portion of the bar has been advanced in more than its fair proportion since Lord Clarendon's appointment; but with the fairness or falseness of the assertion

Carlow. The papers moved for by him in Parliament last July, are most valuable, as showing how little the bar owe the Government for Colonial preferment. It is sufficient for the present to say, that although from the 10th July, 1848, to 10th July, 1850, Colonial appointments, the salaries of which amount to £37,718, were in the gift of the Government; the return moved for by Mr. Sadleir shows that only £5,000 of this money has been given to Irishmen, and one of the appointments is the enviable one of Queen's Advocate at Sierra Leone.

we have nothing whatever to concern ourselves. We know that although there are thirty-three assistant-barristerships, only nine of these are held by Catholics. We are fully aware that this defect, this inequality, cannot be laid to the charge of Lord Clarendon; but we know, and wish our brother lawyers to remember, that although since the year 1848, five vacancies have occurred in these chairmanships, only one of them has been given to a Catholic. We know that a high office has been conferred upon a Catholic lawyer, but we know that it was his by right. All men who have watched that lawyer's progress at his profession, know that he holds his office upon his own merits, owing nothing to any man or to any man's favour; that he has risen to the bench by his own unaided efforts, and has borne a weight of unjust and cruel vituperation and falsehood, such as few men would have had courage to battle through. In our opinion, James Henry Monahan, Chief Justice of the Common Pleas, may feel prouder of his Judgeship, than any peer of the realm, at being "the accident of an accident." We wish not to enter the lists of literary warfare with our elder brother "The University Magazine;" but we most strongly protest against the correctness of the charge made in the number for January last, page 156, that the appointment of the Chief Justice of the Common Pleas is either "favoured" or "factionous."

And let us now state our reasons for referring at all to this subject; we had no intention of doing so, until we had read an article just adverted to in the "University." We consider the subject a disagreeable one, because it seems tainted with sectarianism; but the writer of the article in question asserts, "that the grand recommendation for Lord Clarendon's favour, has been the profession of the Roman Catholic religion."* We have shown that such has not been the case. We have laid before the reader the number of Catholic assistant-barristers; and although it is quite true, that of the twelve judges, THREE are Roman Catholics, we cannot for our parts discover, how the Roman Catholic appointments made by Lord Clarendon, can justify the writer in asserting, that by them "the honour of the profession, and the interests of the public are syste-

* University Magazine, January, 1851, p. 155.

matically alighted.”* It is very true that Catholics have been invested with the empty dignity of sergeant; but to make amends for this, the same sergeants have been most “systematically” passed over, and once a sergeant, always a sergeant, seems the motto of Lord Clarendon. And after all, what is there in the title sergeant? If it gave to its holder the exclusive practice of the Court of Common Pleas, as in England, we could understand the feeling which might arise in the breast of a Protestant lawyer; but the title being, as it is in Ireland, *vox et præterea nihil*, we really and sincerely think, that the religion or the politics of the man who may obtain it, are not of the slightest moment whatever; it is, we admit, a *title*, and being so, furnishes Lord Clarendon, or any other viceroy, with a *bait* by which he may draw some lawyer to support his tactics. We care nothing for the religion or politics of the man who is graced by the title; we only regret that it may be, and has been used as a successful means to lure our brothers in the profession from a just regard to the interest of the bar, and that *this* honour, and others, have been so corrupting as to justify the statement of the “University” writer, that “the legal profession is too much divided into cliques, each pursuing its narrow views and interests, and fearful of embarking in honest politics for the good of Ireland; this is the defect of the men of the law; they seem wanting in *esprit de corps*, and their attachment for place is suspected to be superior to their love of country.”†

We quite agree with the above statement, so far the writer has our fullest faith in the truth of what he has written. The condition of the bar is lamentable in the extreme. But as we wish to allay the anxiety of our friend of the “University,” we beg him to consider for a moment, although the empty title sergeant, has been conferred in more than a fair proportion upon Roman Catholics, that of the four well-paid snug Masterships in Chancery, one only has been

* University Magazine, January, 1851, p. 155.

† Ibid. p. 155. “Honest politics,” says the writer of the extract. We find it particularly difficult in Ireland to discover the exact meaning of “honest politics.” As nonsense is every body’s sense but our own, so the honest politics of one man are, in Ireland, the dishonest politics of the other. We once knew an old gentleman—a barrister too, by the way—who always added to the toast, “Civil and religious liberty all over the world,” the words, “founded on sound Protestant principles.” Alas! as Thackeray says, “Oh! Ireland! oh! my country, when will you learn that two and two make four, and to call a pike-staff a pike-staff?”

given to a Catholic;* and for the benefit of Catholic lawyers, we beg them to bear in mind the fact, that since the year 1829, thirty-eight Protestant lawyers have obtained place, and only ten Catholics have been so favoured. For a full and plain exposition of these facts we refer to the following tables, taken from the *Freeman's Journal*, which show the appointments made since 1829—

TABLE No. 1.—JUDICIAL APPOINTMENTS.

CHANCELLORS.	
<i>Protestants.</i>	<i>Catholics.</i>
Lord Plunket, Sir E. Sugden, Lord Campbell, Sir E. Sugden, M. Brady.	NOTE.—Under the existing law Catholics are not eligible to this office.
MASTERS OF THE ROLLS.	
F. Blackburne, T. B. C. Smith.	Sir M. O'Loughlen.
MASTERS IN CHANCERY.	
Mr. Goold, Mr. Curry, Mr. Litton, Mr. Brooke, Mr. Lyle,	Mr. Murphy.
TAXING MASTERS.	
Mr. O'Dwyer, Mr. Tandy.	Mr. Reilly.
COMMON LAW JUDGES.	
Pennefather (C.J.), Blackburne (C.J.), Crampton (J.), Perrin (J.), Moore (J.), Doherty (C.J.), Jackson (J.), Joy (C. B.), Brady (C.B.), Richards (B.), Foster (B.), Lefroy (B.)	Monaghan (C.J.), Ball (J.), Woulfe (C.B.), Pigot (C.B.), O'Loughlen (B.)

* We mean no disrespect to any of these four gentlemen. They perform their duties ably, attentively, and carefully. Master Litton having

TABLE No. 1.—JUDICIAL APPOINTMENTS (*continued*).

REMEMBRANCERS.	
<i>Protestants.</i>	<i>Catholics.</i>
Lyle (C.R.), Hamilton (S.R.)	
PREROGATIVE COURT.	
Keatinge (J.)	NOTE.—A Catholic not eligible.
BANKRUPT COMMISSIONERS.	
Macan, Plunket.	
INSOLVENT COMMISSIONERS.	
Curran.	Farrell, Baldwin.
INCUMBERED ESTATES COMMISSIONERS.	
Richards (B.), Longfield, Hargreave.	
LAW TAXING MASTERS.	
Mr. Hudson, Mr. Colles.	
TOTAL 38.	TOTAL 10.

TABLE No. 2.—CHANCERY OFFICIAL STAFF.

CHANCELLOR'S OFFICERS.	
<i>Protestants.</i>	<i>Catholics.</i>
Mr. T. W. Brady, Secretary, Mr. C. Brady, Sec. B. C., Mr. M. Brady, Purse Bearer, Mr. Sniton, Train Bearer.	

brought into his office all the unyielding integrity and firmness in what he believes to be the proper course of conduct, which distinguished him when at the bar, is enabled, notwithstanding other men's crotchets, to transact his business with honour to himself, to the satisfaction of both branches of the legal profession, and with very considerable advantage to the suitors.

TABLE No. 2.—CHANCERY OFFICIAL STAFF (*continued*).

REGISTRAR'S OFFICE.

<i>Protestants.</i>		<i>Catholics.</i>	
Mr. Long, Registrar,		Mr. Kelly, Clerk,	
Mr. O'Keeffe, ditto,		Mr. Connor, ditto,	
Mr. Sugden, Assistant ditto,		Mr. O'Connor, Jun. }	Clerks.
Mr. Darley, Clerk of the Court,		Mr. Eiffe,	
Mr. Crowther, Cashier,		Mr. Hart,	
Mr. Buchanan, Clerk,		Mr. Levy,	
Mr. Geale, ditto,		Mr. Moore,	
Mr. Mathews,	} Clerks.	Mr. Perrin,	
Mr. Shaw,		Mr. Whelan,	
Mr. Sheridan,			
Mr. Revitt,			
Mr. Wisdom,			
Mr. Ferguson,			
Mr. Mann,			

ACCOUNTANT-GENERAL'S OFFICE.

Mr. Barrington, Accountant-General,	
Mr. Sharkey, Deputy ditto,	
Mr. Rolleston, Chief Clerk,	
Mr. Davis,	} Clerks.
Mr. Pigot,	

ROLLS' DEPARTMENT.

Mr. Wogan, Keeper of the Rolls	Mr. Morren, Chief Clerk.
Mr. M'Mahon, Deputy,	
Mr. Reilly, Secretary to the Master of the Rolls,	
Mr. Berry, Clerk of Rolls' Court,	
Mr. Hatchell, Clerk of the Enrolments,	
Mr. Nash, Chief Clerk,	

EXAMINERS.

Mr. Quinan,	
Mr. Webb.	

AFFIDAVIT OFFICE.

Mr. Hogan, Clerk of Affidavits,	
Mr. Maddock, Assist. ditto,	
Mr. Maddock, Jun.	} Clerks.
Mr. Smallman,	
Mr. Burrowes,	

TABLE No. 2.—CHANCERY OFFICIAL STAFF (*continued*).

HANAPER OFFICE.

Protestants.

Catholics.

Mr. Fitzsimon, Clerk of the Hanaper,
Mr. O'Brien, Clerk,
Mr. M'Dowell, Second Clerk.

MASTER'S OFFICES.

Mr. Henn, Examiner,
Mr. Litton, ditto,
Mr. Smith, ditto,
Mr. Lale, ditto,
Mr. King,
Mr. Forde,
Mr. O'Callaghan,
Mr. Ferguson,
Mr. Moore,
Mr. Jackson,
Mr. Denny,

} Examiners'
Clerks.

} Taxing
Clerks,

Mr. Murphy, Examiner,
Mr. Dunne, Taxing Clerk.

APPEARANCE AND NOTICE OFFICE.

Mr. Dawson, Clerk of Appearances,
Mr. Keating, Chief Clerk,
Mr. Richey,
Mr. Foster,

} Clerks.

Mr. Mons, Second Clerk,
Mr. Fletcher,
Mr. Fletcher, Jun. } Clerks.
Mr. Blake,

COMMISSIONERS OF LUNACY.

Mr. Beatty,

Mr. Close, Q.C.

SUNDRY OFFICERS.

Mr. Porter, Clerk of Recognizances,
Mr. M'Causland, Clerk of the Custodies,
Mr. Hazlett, Solicitor for Minors and Lunatics,
Mr. Porter, Clerk of the Faculties,
Sir E. Tierney, Solicitor to the Suitors' Fund.

TOTAL 51.

TOTAL 19.

TABLE No. 3.—LAW COURTS.

<i>Protestants.</i>			<i>Catholics.</i>		
Offices.		Salaries.	Offices.		Salaries.
QUEEN'S BENCH.			QUEEN'S BENCH.		
Blackburne (C.J.)	...	£5,074	Mr. Duff, Clerk of the Rules		£800
Mr. Greaves, his Circuit and City Registrar	...	646	Mr. R. Marlow, Assistant	...	350
Crampton (J.)	...	3,725	Mr. T. Marlow, Pleadings Assistant	...	200
Mr. Walker, his Registrar		369	Mr. Lacey, Clerk	...	80
Perrin (J.)	...	3,488			
Mr. Perrin, his Registrar	...	369			£1,430
Moore (J.)	...	3,688			
Mr. Duckett, his Registrar		369			
Mr. Mahony, Clerk of the Crown	...	900			
Mr. Bushe, Master of the Court	...	1,387			
Addition in fees about	...	200			
Mr. Hamilton, Principal Assistant	...	600			
Mr. Byron, Pleadings Assistant	...	400			
Mr. Hanley, Record Assistant	...	400			
Mr. S. Walker, Tipstaff, about	...	200			
Mr. Dooley, Deputy, about		100			
Mr. Philips, Stamp Distributor, paid per centage on sales, about	...	500			
Mr. Percy Bushe, Clerk	...	150			
Mr. St. John, ditto	...	700			
Mr. Wilson, Clerk in Crown Office	...	100			
Mr. Faucit, Crier, and for Exchequer Chamber	...	140			
Mr. Crozier,	} Examiners of Attorneys, paid in fees, about	250			
Mr. Reeves,					
Mr. Greaves,					
Mr. Poce,					
The Court-keeper	...	30			
		£23,785			

TABLE No. 3.—LAW COURTS (*continued*)

<i>Protestants.</i>		<i>Catholics.</i>	
Offices.	Salaries.	Offices.	Salaries.
EXCHEQUER.		EXCHEQUER.	
Pennefather (B.) ...	£3,388	Pigot (C.B.) ...	4,612
Mr. Delap, his Registrar ...	369	Mr. Scott, his Circuit Registrar, ...	276
Lefroy (B.) ...	3,688	Mr. M'Mahon, Pleadings Assistant ...	400
Mr. Courtenay, his Registrar ...	369	Mr. Armstrong, Clerk ...	100
Richards (B.) ...	3,688	Mr. Teeling, do. ...	150
Mr. Piers, his Registrar ...	369	Mr. Hean, Crier ...	120
Mr. Forde, Registrar to Chief Baron Pigot ...	369		
Mr. Hitchcock, Master of the Court ...	923		£5,658
Addition in fees, about ...	350		
Mr. Yeo, Clerk of the Rules ...	800		
Mr. E. Cooper, his Assistant ...	500		
Mr. Cooper, Principal Assistant ...	400		
Mr. Castles, Record Assistant ...	400		
Mr. Patten, Clerk ...	200		
Mr. T. Yeo, Clerk ...	150		
Mr. J. Patten, do. ...	100		
Mr. Watson, do. ...	100		
Mr. Legg, do. ...	80		
Mr. Cathrew, do. ...	150		
Mr. Archer, do. ...	80		
Mr. Mathers, do., about ...	50		
Mr. Parry, do., about ...	50		
Mr. Nunn, ...			
Mr. Furlong, ...			
Mr. Franks, ...			
Mr. Bagnall, ...			
Mr. Stewart, Stamp Distributor, paid by centage on sales, about ...	600		
Mr. Gibbon, Messenger for Master ...	40		
Court Keeper ...	30		
	£17,543		

TABLE No. 3.—LAW COURTS (*continued*).

<i>Protestants.</i>			<i>Catholics.</i>		
Offices.		Salaries.	Offices.		Salaries.
COMMON PLEAS.			COMMON PLEAS.		
Torrens (J.)	...	£3,688	Monahan, (C.J.)	...	£4,612
Mr. Babington, his Registrar		369	Mr. Monahan, his Registrar		646
Jackson (J.)	...	3,688	Ball, (J.)	...	3,688
Mr. Scott, his Registrar	...	269	Mr. Rorke, his Registrar	...	369
Hon. Mr. Plunkett, Master of the Court	...	1,387	Mr. Carey, Principal Assistant	...	600
Addition in fees about	...	100	Mr. M. Carey, Principal Assistant	...	300
Mr. Green, Clerk of the Rules	...	800	Mr. Lynam, Second Assistant	...	150
Mr. Mee, his Assistant	...	300	Mr. P. Carey, Clerk	...	100
Mr. Reid, Record Assistant	...	400	Mr. Monk, ditto	...	100
Mr. M'Causland, Clerk	...	200	Mr. O'Gorman, Stamp Distributor, paid by centage on sales, about	...	100
Mr. Stewart, ditto	...	100			
Mr. Paulet, ditto	...	80			
Mr. Lefanu, Tipstaff, about	...	150			
Mr. Plunkett, } Examiners of Mr. Dobbin, } Attorneys, Mr. Stanford, } received as } fees, about }		150			
The Crier of the Court	...	120			
Court Keeper	...	30			
		£11,831			£10,665
WRIT AND RECORD OFFICES.					
Mr. Clancy, Clerk of the Writs	...	600			
Mr. W. Yeo, Clerk	...	200			
Mr. Battley, do.	...	150			
Mr. Ferguson, Record Keeper	...	300			
		£1,250			
Number of Judges	...	9	Number of Judges	...	3
Number of Officers	...	65	Number of Officers	...	17
Total	...	74	Total	...	20
Total Salaries of Judges, Protestants	...	34,610	Total Salaries of Judges, Catholics	...	12,914
Like of Officers, Protestants	...	20,109	Like of Officers, Catholics	...	3,842
Total	...	£54,719 15 10		...	£16,756 3 5

We have not called attention to these tables with the most remote design of passing either praise or dispraise upon the men appointed, or upon the religions they profess. We have referred to them for the purpose of showing, that various governments have in turn cajoled and lured the bar into partizanship, that the result of this partizanship has been dissension and division, and the dissension and division have conduced to place the bar in the condition, the pitiable condition, of weakness and inutility, to which we at present see it reduced. This system is not the growth of one year or of ten; for more than a quarter of a century the process of centralization in legal appointments has been aimed at; it has never during that time been lost sight of, and the utter powerlessness of the bar being a first step towards its full completion, all the arts and all bribes of successive Viceroys, have been directed to produce jealousy and division amongst the profession; sometimes it has been attempted openly, with all the boldness of a daring highwayman; at other times, it has been carried on silently and insidiously, with all the secrecy of an accomplished burglarious cracksman. We think that in calling attention to these facts, we do a service to the Irish bar. We believe our country to be as worthy of a distinct bar as Scotland, and it will be no fault of ours, if the legal profession in Ireland shall ever become merged or swamped in that of England. If we thought the members of the Irish bar degraded in soul, or forgetful of that allegiance which every man owes to his profession, we might despair of seeing a national feeling amongst the members; but we are sure that there is a love of Ireland mingled with the self-sacrificing spirit of those, who day after day throng the hall and library of the Four Courts, and who prefer the weary toil of our profession to more agreeable, and perhaps more money-getting pursuits. We know the bar meeting to which we have referred, proved that though powerless at present, there was some of the old spirit still amongst us, and who can despair of seeing a brighter day dawn upon us, when we recollect the sentiments uttered by Holmes, by Whiteside, by O'Loghlen, by Fitzgibbon. Napier too, following his own honest convictions in every phase of life, and in all the changes of politics, is an ally so powerful, so true, so unchanging, that his services to

his profession cannot be too highly rated,* or the value of his parliamentary assistance too greatly valued.

We have now at sufficient length, in this article at least, attempted to lay before our readers the present condition of the Irish bar. We have shown its utter weakness, its complete powerlessness to act with independence and spirit, and its great unwillingness to cast off all the debasing trammels by which government bribes and viceregal baits have entangled it. We have shown how the system of division has been tried, and crowned with such perfect success. We have proved how the Protestant has been raised to place by one government, and the Catholic by another. We have, we think, made it quite plain that each of these classes has in turn found itself fooled and deceived. We have shown, (but at no great length, as we mean to return to the subject,) that the whole system of colonial appointments is carried on in a spirit degrading to the Irish bar, and have proved that most even of the few appointments given to Irishmen are so unhealthy, that death is in general the speedy lot of him who is nominated. We have tried to place before the reader, in as strong and plain colours as possible, the manner in which the Irish bar has been passed over, in the appointments of Lord Campbell, Sir Edward Sugden, and Mr. Hargreave. These are the facts, and these the melancholy proofs of the fallen state of the present condition of the Irish bar—facts and proofs which clearly show, how readily England has adopted, and is prepared to carry out, the advice of Mr. Rowley Lascelles, who writes of the law department of Ireland, “Much of this department has been abrogated by act of Parliament, and MORE MUST AND WILL BE SO. This and the two preceding departments (State Officers and Education) are still in the old spirit of a distinct kingdom, and cannot be too soon consolidated with the parent establishment.”*

* *Liber Munerum Publicorum Hiberniæ*. Schedule after page 228. Part II.

We consider this a very fitting place to introduce the evidence of Lords Brougham and Campbell, and of Mr. Pierce Mahony, given before a select committee of the House of Commons, appointed the 8th of April, 1846, to inquire into the present state of legal education in Ireland. We refer to this report for the purpose of showing that the suggestion of Lascelles has not been lost sight of. The reader will observe Lord Brougham's opinion of Irish trials at *Nisi Prius*, and the great objection he and

We know not in what terms to write of the future condition of the bar. Its present state we believe to have sprung from, and to be the offspring of the errors of the past; and upon the acts of the bar now, upon their union, and the casting aside of all petty differences, depends the future. We have observed that all other professions unite when the members consider their interest threatened or injured, and endeavour to obtain protection or redress. Within the past three months, we have seen the doctors of the noble profession of medicine assembled in Dublin, for the purpose of urging upon the Minister, the necessity of certain changes in the laws regulating the medical charities and the medical profession in this country. They were acting for themselves and for Ireland. Why should not the bar assemble with the same unanimity? They have a profession and a country to serve; they belong to a profession which has suffered in every change of society in Ireland; they belong to a profession

Lord Campbell entertain to there being any centralization in Scotch law. Mr. Pierce Mahony's "hope" is also worthy of observation, as it proves him to be a man of the most unbounded credulity, and infantine reliance upon English feelings of reciprocity.

MR. PIERCE MAHONY.

Question 2534. Would it, in your opinion, conduce to the improvement and remuneration of the profession, if the Irish barristers were allowed to practise in the courts of England, and *vice versa*?—Certainly; and I hope I will live to the time when English barristers will be made Irish judges, and Irish barristers English judges. The more the distinctions of country are broken down, the better for the United Empire.

LORD BROUGHAM.

3805. There is, I apprehend, much greater exactness, and much greater attention to strict rules, with us, than takes place at Nisi Prius, in dealing with evidence and examining witnesses, in the sister kingdom. For all of which reasons I consider that the Irish barrister coming here for a period is a great advantage.—3806. There is also the additional advantage of having the opportunity here of attending a conveyancer's office, there being very few conveyancers to be found in Ireland? I suppose so. I must add, that the business of the Court of Chancery is of very limited amount in Ireland.—3807. Would it be desirable to allow Irish barristers and English barristers to practise reciprocally in each country? I do not see any great objection to it.—3808. Would it not tend to assimilate the practice, and to correct any errors which may exist in the Irish practice? It might very much tend to correct the Irish practice. I am a great friend to sending over, from time to time, an English judge to preside on the Irish bench, and I should see no objection whatever to bring over an Irish judge occasionally to this country; I see no objection whatever to that interchange. There would be the greatest objection to a similar interchange with Scotland, because the system of law there is totally different, and has been for

which has, in all the great epochs of our country's history, taken a leading position worthy of itself. We will not, we cannot believe that the bar is so changed, so lost to all sense of public and private interest, as to continue in the present state of miserable selfish disunion. There is, there can be no private interest, either honourable or paramount, which clashes with the interests of the profession. That preferment which is gained by slandering the country, that advancement which springs from the adoption of party principles, and attempts to thrive by bitter foulness of anonymous pamphleteering, must be opposed and exposed. These are the evils of the bar, the surest signs of its decay, and the most melancholy proof of its want of unanimity, and disregard of national interests.

There was a time when the Irish bar was united, and each member acted as if his country and his profession depended upon his honour and his courage. Actuated by such sentiments as these, and believ-

ages past, though originally it was so exactly the same, that there is a doubt expressed by some legal antiquarians, whether the oldest book in the Scotch law is a translation or an original, the *Regiam Majestatem*. I have no doubt it is a translation from our Bracton.

LORD CAMPBELL.

3869. My own opinion is, that there ought to be one bar for England and Ireland.—3870. That they should reciprocate; so that a barrister who practises at the English bar should be entitled to practise at the Irish bar also? Most undoubtedly.—3871. And an interchange of judges? An interchange of judges, I think, would be highly beneficial.—3872. And you would extend the same rule to the Inns of Court; that the course of education pursued in Ireland should be pursued in England, and *vice versa*? Undoubtedly.—3873. Would you require that the Irish student should necessarily come over here for purposes of study, previously to his admission to the Irish bar? Not at all. I think the union would be essentially consolidated by this arrangement.—3874. Do you think it would be advisable also, that English judges from time to time should go the Irish circuits, and Irish judges the English? I feel that so strongly, that I have several times in the House of Lords proposed that that system should be adopted. Lord Wellesley was of opinion that it would tend very much to benefit the United Kingdom if there were one bar for England and Ireland, and that there should be an interchange; that English barristers should be appointed as Irish judges, and that Irish barristers should be appointed English judges.—3875. It has been stated to this Committee, that there is a considerable difference, as it respects both the law and the practice of the law, between the two countries: would that at all interfere with this interchange? I do not at all agree in that; they are essentially the same; the difference between them is quite trifling. There is an essential difference between the law of Scotland and the law of England, but the common law of Ireland and the common law of England are the same, and there is no material difference in the practice.

ing the rights of Ireland to be in danger, the lawyers' corps of Volunteers, upon the 28th of February, 1782, resolved to support their representatives, if necessary, "WITH THEIR LIVES AND FORTUNES." And again, on another great day, when the indignant citizens of an insulted and oppressed nation, assembled to hear from the Viceroy Portland the intention of the King, when all the streets around and all the avenues of the Parliament House, were filled by the armed guardians of the country's rights, upon this great day, the glorious ever-memorable TWENTY-SEVENTH OF MAY, 1782, the lawyers' corps formed the vanguard of the Volunteers, ready, should the King's message prove the King's unwillingness to grant their just demands, to send back, in the thunder of their cannon, the proud defiance of indignant Ireland. True, the days of violence and blood have passed away for ever, and the constitutional redress of grievances is more readily obtained by the pen than by the sword; but surely our bar is still awake to its own interest and the good of the country. We have not recalled these bright days without an object. We believe that "memories like these, God and good men will not let die." We have shown what the bar is, we have recalled the memory of what it was, and have proved that what it yet may become, depends neither upon the will nor the policy of any English minister, but rests solely and entirely with the members of the bar themselves. It is in their power to form a league for the protection of their interests, which no minister will dare to oppose. If Protestant can forget his absurd contempt for Catholic, if Catholic can forget his ridiculous anxiety for exclusive promotion, if both can agree that there is in life something better than the begging for place, and something higher and holier than the putting co-religionists into petty judicial situations; if the long continued course of conduct pursued by the bar be cast away for ever, then may we hope to see the profession in its old position of honourable pre-eminence; but if the present dissensions and jealousy be continued, we may very speedily expect to find our lawyers transported to Westminster Hall, or reduced to the intellectual and dignified position of a Quarter Sessions bar. And then, when time shall have passed on, and when causes of action arising in Nenagh or in Waterford, shall be tried in London, we may regret our folly and divisions too late, and discover that English attorneys

prefer the barrister of their own country, to transact Irish business, taking for their motto, the very national sentiment, **NO IRISH NEED APPLY.** It may be asked, how can the Irish bar prevent the designs of government being carried out? By, as we have shown, forgetting its dissensions, by evoking the public aid, by stirring up the public mind, by calling forth the public opinion of the country. Are there amongst the 1380 men, who form the Irish bar, no active minds, no bold hearts, no ready pens, no eloquent tongues? Can these men forget what is due to themselves, to their profession, and to Ireland? We will not, we cannot believe it; we say to each member of the Irish bar, in the words of an honest, a wise, an eloquent, and a pious man, addressed to a great judge—

“Impress upon yourself the importance of your profession; consider that some of the greatest and most important interests of the world are committed to your care—that you are our protectors against the encroachments of power—that you are the preservers of freedom, the defenders of weakness, the unravellers of cunning, the investigators of artifice, the humblers of pride, and the scourgers of oppression; when you are silent, the sword leaps from its scabbard, and nations are given up to the madness of internal strife. In all the civil difficulties of life, men depend upon your exercised faculties, and your spotless integrity, and they require of you an elevation above all that is mean, and a spirit which will never yield when it ought not to yield. As long as your profession retains its character for learning, the rights of mankind will be well arranged; as long as it retains its character for virtuous boldness, those rights will be well defended; as long as it preserves itself pure and incorruptible on other occasions not connected with your profession, those talents will never be used to the public injury, which were intended and nurtured for the public good.”

Rev. Sydney Smith's Works—Vol. III. p. 251.

ART. V.—MR. MONTAGUE DEMPSEY'S EXPERIENCES
OF THE LANDED INTEREST.

CHAPTER I.

UNCLE PETER! Uncle Peter! why did you die? Or, at least, why did you “levy fines, and suffer a recovery, and thereby bar the entail and remainders over,” a feat of which I hereby disclaim all knowledge, except as I am informed by Messrs. Seizem and Skinn, your solicitors, that the non-performance of such a piece of legal gymnastics on your part, would, by some process known only to the initiated, have had the effect of preventing me from exchanging my first floor in Bloomsbury, with its cheerful prospect of chimney-tops and steeples, for the commodious family mansion of Ballinahaskia, and accepting the title of landlord to some interesting, but dirty, specimens of the human race, in lieu of that of second clerk in the highly respectable firm, of Filer, Nogs, & Co. London.

One morning in the month of November, 1843, an individual might have been observed making his way along Lombard-street, with a rapidity that appeared almost magical, when the density of the fog, and the crowded state of the footpath, were taken into consideration. His brisk yet methodical movements bespoke the man of business, while the mediæval cut of his coat, and the bundle of letters in his right hand, at once stamped him as the district postman. (The fact of my being an ardent admirer of the works of G. P. R. James will, I hope, be a sufficient excuse for adopting the above form of commencement.) Any one who took a sufficiently deep interest in the progress of the man of letters above alluded to, might have observed him enter a peculiarly business-like house, and stop at an equally business-like inner door, the upper part of which was glazed with a species of glass so ingeniously ribbed, as to give the street outside, when viewed through it, the appearance of a copy-book with very narrow lines; the prospect was still farther impeded by a legend, to the effect, that Filer, Nogs, and Co. were in the habit of transacting their business there. Without pausing to admire the flourishes in the latter work of art, he rapidly dropped four or five letters through a letter-box in the door, and hurried

away, frantically turning over the bundle in his hand. The letters had hardly time to settle themselves comfortably in the box, when the Chubb-lock was invaded by an excessively chubby key, and they were withdrawn by the hand of Mr. Nogs, who was proceeding to lay them on the desk of the senior partner, when the direction of one of them caught his eye, and surprised him to such an extent, as caused him to ejaculate, "By Jove!" with so great an amount of vigour, that Mr. Filer actually let fall the tin can, in which he was arranging a small pack of cards, so as to inform all whom it might concern, that the day was Tuesday, and that it was the 18th day of November, 1843; a task which he performed with mercantile regularity, at precisely half-past nine every morning. "Now then! what is it?" said he. Mr. Nogs, with a composure wonderful under the circumstances, replied, "A letter for Dempsey." "A what?" cried Filer, making the T sound like the explosion of a percussion cap: "A letter for Dempsey! God bless me!" He was paralyzed, but only for a moment, and walked to his desk with the air of a man who had formed a stern resolution, and was prepared to go through with it. "Mr. Nogs," said he, he always mistered him on important occasions, "have the goodness to call Mr. Dempsey." The junior partner obeyed, by opening a door about three inches, and projecting, like a missile, through the aperture the dissyllable, "Dempsey!" A sound was heard in the office outside, as of an individual letting himself down from a height on a boarded floor, and the second after, Montague Dempsey made his appearance.

As, on this occasion, I first have the honour of being introduced to the reader, a slight personal sketch may not be out of place. If confidence may be put in several portraits executed on blotting paper, in a highly finished style, by Jubb, the junior clerk, who is considered to have a taste for drawing, I, at that time, presented the appearance of an individual of middle age and stout proportions, with a bald head, and a remarkably small and unmeaning eye, so small, in fact, that the artist usually represented it by a dot. That I am now altered, at least in obesity, from what I then was, a waistcoat now in my possession affords indisputable, but, to me at least, not very satisfactory evidence. As to my disposition and habits, I am sure my landlady would have no objection to make an

affidavit to the effect, that I was the "quietest, contentedest lodger as ever was."

On my entering the office, Mr. Filer relaxed his expression of stern determination to one of mere ordinary calmness, and said, "Mr. Dempsey, a letter for you has arrived by this morning's post." He here paused, expecting that the astounding announcement would have paralyzed me. "I thought, Mr. Dempsey," continued he, "you were aware, I had an objection to any letters being received in this office, except such as were purely on the business of the house." I, of course, commenced my reply in the orthodox form in such case made and provided, by saying "Really, sir"—when he stopped me with "well sir, that will do; have the goodness not to allow it to occur again; take your letter, sir, and be so kind as to request your correspondent to direct in future to your present—a—a—in fact, to your lodgings." He laid an emphasis on the word "correspondent," as though he considered my having such a thing as something out of the ordinary course of nature. I meekly withdrew, and having arrived at the summit of my stool, proceeded to read the letter with feelings greatly prejudiced against it, as the cause of the calm reproof I had just received; it was written in an uncompromising legal hand, and was as follows:—

"SIR,—It is our duty to inform you, that by the death of Mr. Peter Dempsey of Ballinahaskin, (which event occurred on the 12th ultimo,) you became seised of all his fee-simple property. We have to request, that you will without delay, inform us of your intentions regarding the estate. For any future information you may require, we beg leave to refer you to Mr. James Tapper, Chancery-lane.

"We remain, Sir, your obedient Servants,

"SEIZEM AND SKINN."

I have often since wondered at the calm composure, with which I read the announcement of so great a change in my position in life. I had no reason to doubt its truth, and was sufficiently aware of the circumstances of my Uncle Peter, to know that his income, though itself inconsiderable, would be to me, what the newspapers call, a princely fortune. Yet, if the letter, instead of informing me I was no longer a hard-worked clerk in a merchant's office, but the possessor of some hundreds per annum, had contained merely a ticket

of admission to the Haymarket, I doubt if it would have been at the time less welcome. There must be a provision of nature, which, in some dispositions at least, causes unexpected intelligence to take effect in homœopathic doses, and thus prevents the mind from being over elated or depressed. It must have been so with me in the present instance, for I remember distinctly, proceeding, line after line, through Messrs. Seizem and Skinn's epistle, and then folding up and pocketing it in the most unimpassioned and methodical manner. It had, however, the effect of making me unusually abstracted and silent as the day wore on, which change in my deportment, my fellow clerks attributed to my visit to the private office. In fact, I heard one of them remark to Jubb, that "the governor must have blown up Dempsey prime," a piece of wit which delighted the artist to such a degree, that he immediately commenced a blotting paper cartoon on a large scale, representing me, with an expression of countenance, as if I was receiving the shock of a galvanic battery, standing between the "governors," who were regarding me with looks that a Caribbee might have envied.

The moment I was at liberty I proceeded to Chancery-lane, and having found Mr. Tapper's office, knocked in that desultory and quivering style usually adopted by persons labouring under mental perturbation. The door was opened by a woman who kept her hands under her apron, in which she was perfectly justified if their cleanliness did not exceed that of her arms; by her I was informed that the office was closed, and Mr. Tapper had gone home to something-or-other street in Islington, whither, after a vain attempt to dine, I proceeded, for my mind was in that restless state which requires some active employment, and besides, I knew my own duties would prevent my seeing Mr. Tapper during his business hours. After several enquiries from policemen who were vague, and cabmen who were careless, as to the street I wanted, I found Mr. Tapper's house—an unambitious residence—in whose external appearance the principal feature was, a most imposing flight of steps. On my stating that I came on particular business, I was shown into a room, which, from the stand of geraniums in the window, and the books, papers, and desk on the table, I concluded was an ingenious cross between a study and a green house.

Mr. Tapper shortly after entered, accompanied by a fine flavour of figs, and hot gin and water. He was a little old man, although it was evident from the tie of his neckcloth he considered himself as yet a youth; and no doubt, had I asked him, could have accounted to his own satisfaction for the greyness of his locks, which were so artfully brushed across the bald part of his head, as to delude the observer into the idea, that each hair was growing in several places at once. He advanced towards me with that sidelong step, so much practised by ravens, elderly magpies, and birds of his species, and after apologising for intruding upon him at so unseasonable a time, I proceeded to state the cause of my visit, with a consciousness that if he did not quickly come to my aid by making some remark, I should inevitably break down, which catastrophe did eventually occur, and left me feeling very hot, and looking, I am convinced, very foolish. "So you are Mr. Dempsey," said he, as if that was the only fact deducible from my oration, although I distinctly recollect having, in my flurry, given him information on several collateral points, such as the amount of my salary, the number of clerks employed by Filer and Nogs, and their names, with their respective ranks in the office. "I received a letter this morning, sir," he continued, "from Mr. Seizem, in which he mentioned your good fortune. Allow me to congratulate you sir,—very sudden sir, very,—disease of the heart, I hear." I was about to assure him that as far as I was aware, I was not afflicted with any heart complaint, and that he was very kind to think I should be a loss, when he added, "Left a widow, I believe sir, eh? and three daughters;" showing me that he alluded to my uncle and not to myself, whereupon I felt myself becoming excessively red in the face (which, by-the-bye, is a habit of mine) at the thought of the mental mistake I had committed. I said I was aware that my uncle had been married, but could not say whether he left a widow or family, and that in fact, since the time of my father's death, when I entered my present situation, I had become almost totally estranged from my family, but above all, from my uncle Peter, which I attributed principally to the fact, that since the marriage of the latter, the two brothers had never been on terms. I wound up by saying, I was desirous of ascertaining something clearly about the state of my uncle's affairs; thus, as I thought, diplomati-

cally leading the conversation to the subject I was most anxious about. "Oh," said he after a pause, during which he had stedfastly scrutinized the geraniums, while I hoped he was turning over in his mind the form in which to announce the amount of my future wealth, "I have it on authority, too good to be doubted, that your uncle left to mourn his loss, a widow and three lovely daughters—play the piano, harp, sing, and all that sir—magnificent creatures!" This eulogium he uttered, rubbing his hands and smirking his face into an absolute network of wrinkles, as much as to say, "if I was in your place, you lucky dog, what conquests I'd make." "I suppose my uncle settled handsome fortunes on them," said I, thinking to myself, that though he were Machiavelli himself, he could not now escape being drawn into some confession as to the old gentleman's property. "Ah, ha! Mr. Dempsey," he replied with a horrid leer, "so you have your eye on a future Mrs. Dempsey already." I need not say that my defeat and his triumph were, each in its way, complete. When I had sufficiently recovered my composure, laying aside all artifice, which I now saw was useless, I proceeded to the point at once, and begged of him to give me what information he could respecting the nature, amount, and circumstances of the property to which I had become entitled, stating that I had been referred to him for that purpose. "Really, Mr. Dempsey," said he, drawing himself up, and looking oracular, "I should be most happy, in fact quite delighted, to give you any accurate information in my power—mind, *accurate* information; but I do not feel myself justified in making a statement to you, on which you could not with certainty rely. It would grieve me to be the cause of leading you to suppose your property greater or less than it might afterwards prove; the value of landed property is, you know, fluctuating; on the one hand, a lease against you may have expired, or, on the other, a whole tract of country may have been submerged by the shifting of one of those—what's this you call 'em?—bogs, aye bogs—by the bye, astonishing case that the other day—perfectly wonderful—you saw it in the papers, eh? Whole village carried away—old woman washing potatoes—you remember? No, my advice to you is, to write to Mr. Seizem, to say he may expect you in Dublin—let me see, when could you go? Well, as soon as you can, that's what I would do. If you have any

little business to arrange, any small debts to get in, I shall be most happy to transact it for you, only too happy to serve any friend of Mr. Seizem's—very old friend of mine is Mr. Seizem; first learned my business in his office; I was a mere boy then;" I was about to observe, that I had no idea Mr. Seizem was so old a man as that would lead me to suppose; but suppressed the remarks from a recollection of Mr. Tapper's weak point, and promising to follow his advice, wished him a good evening, he following me to the door with "good evening, Mr. Dempsey—good fellow Seizem—good evening sir." Disappointed as I was, in the main object of my visit to Mr. Tapper, and baffled by his excessive politeness and mysterious unwillingness, or inability, to give me any information, yet I could not help deriving a sort of satisfaction from his manner towards me. It was evident that in his eyes at least I was the landed proprietor, and not the merchant's clerk. Even the vague way in which he spoke of the value of my property excited in my mind feelings of self-importance, and almost made me fancy the transformation complete. As I walked homewards I detected myself several times almost swaggering, and elbowing my way at crowded corners, in a style far different from my usual humble and modest gait; and yet a feeling of intense pleasure at my elevation, was decidedly not amongst my sensations at the time. I felt an uncertainty as to whether the change in my circumstances would add to my happiness; not that I was attached to my then mode of life, far from it. Often when building castles in the air (and who is there who does not at times indulge himself in rearing those edifices) I had pictured to myself, the delights of exchanging a life of monotonous labour for one of untrammelled ease; now that the dream had become a reality, I, who had sighed for the shadow, hesitated to grasp the substance. I was conscious of my own ignorance of the world and its ways, and felt that from having been so long a mere spectator, I was hardly suited to sustain in the great farce, even so subordinate a part as that of a country gentleman of small income, my only preparation for that character being such ideas of rural felicity, as a Sunday trip to Richmond, or a week in summer at Margate, could suggest. If, however, these reflections made me for a moment contemplate letting the matter drop, and taking no further step to secure the fortune.

already almost within my reach, such a thought was only momentary. "No," said I to myself, "Montague Dempsey, you have a destiny to fulfil, and do not attempt to flinch from it, sir. There is a "tide in the affairs of men which, taken at the flood, leads on to fortune." (I am fond of quoting Shakespeare, when I know the passage well, and can do it with safety.) "This seems uncommonly like it: so in with you Montague, and don't stand shivering on the bank—never mind the cold—what matter though the stream be a little rough or muddy, or sweep along with it many little disagreeabilities. Have courage, old boy!" (mentally patting myself on the back) "and you won't be swamped; and even if you are, is such a fate much worse than the one before you? If you lose this tide, the same old jog-trot sort of life, the same struggle at quarter-day, to make both ends meet, is before you. To be sure old Parker may go, or be taken into partnership, and you may get his place, and be able to treat yourself to a 'bus home from the city—but you'll want it then, for you will be getting old and shaky, my poor fellow; then, perhaps, you will give up your situation, and starve on your savings, until, at last, you drop off, leaving no one to regret you but your landlady, who will hope, as she puts up the bill on your sitting-room window, that her next lodger may pay as regularly."

This last argument appeared conclusive, though it certainly did strike me as strange, that but the day before, I was contemplating with the most perfect contentment and equanimity, the prospect which I now drew in such sombre colours. As I was that night preparing to adopt my favourite method of discussing a weighty subject, namely, sleeping on it, a mode of arriving at a conclusion in which I consider myself an adept, my landlady entered, with her usual preliminary enquiry after my cold. I had had one about six months previously, but she seemed to be under the impression it had fastened itself on my constitution, as she seldom opened a conversation without asking me how it was. In the present instance she begged to know, was there anything she could send me up that might relieve the cough; and altogether evinced such tender solicitude, that when I recollected the ungracious thoughts respecting her I had been just harbouring, I felt convicted of the basest ingratitude, and accordingly denounced myself as a monster. The sub-

sequent part of her conversation was, on this occasion, about the weekly bill, which she laid on the table.

I have often remarked, that when you are doing all in your power to go to sleep, and trying all those impracticable feats usually recommended for that purpose, such as retrograding through the alphabet, and counting backwards from one hundred to one inclusive, nature and art seem to conspire to frustrate your efforts; your watch ticks with unusual vehemence, as if determined to keep you awake, or go to pieces in the attempt; should your next-door neighbour be possessed of a poultry-yard, the cock attached to that establishment will be unusually vigilant; and should there be a plurality of cats in the street, they will be sure to select the spot beneath your window for the holding of their revels. In my case the animal department was ably supported by a conscientious dog in the next garden, who, as if aware that he was remarkably ugly, and perfectly useless, felt himself bound to do something for his maintenance, and kept up an incessant barking. As to those pieces of mechanism, the church clocks, I have never since felt total confidence in them; I perceived that night such a difference of opinion among them, that I have remained, even to the present day, sceptical respecting the proverbial regularity of clock-work. It was all very well, so long as they were busy with the small hours, but when the chimes were, of necessity, complicated, the discrepancy was painfully evident. The proceedings, I remarked, always opened by a little shrill-toned clock, which appeared to set all the others going; just as in a street row, one shrewish woman will set half a dozen quietly disposed individuals vociferating and shouting. The strain was then taken up by a couple of deeper voiced disputants, who, after arguing the point between themselves, paused, by common consent, to hear what the next had to say; he then delivered his opinion in a deliberate and sententious solo; then another pause, and a distant bell would be heard sending forth, across miles of roof, a new theory as to the correct time; on which three or four nearer would seem to start up, as if determined to dispute the last opinion. Several times when I found, to my great delight, my thoughts assuming that wandering aspect which is a sure forerunner of sleep, one or all of the conspirators, would bring them back with horrible distinctness.

At last, however, the scene changed, and I found myself magically installed in my Irish estates, and presiding at a harvest home, which I had provided in right regal style for my numerous tenantry. Mounted on a beer barrel, I addressed them in a strain of impassioned eloquence, when suddenly the top gave way, and I discovered that Messrs. Filer and Nogs had, by some act of legerdemain, possessed themselves of the interior, and furnished it so as, in every way, to resemble their own office in Lombard-street. As I was endeavouring to explain the unceremonious mode in which I had gained admission, somebody seemed to knock outside in so familiar a manner, that it had the effect of wakening me, when I found that my landlady had been, according to her own account, nearly five minutes at my door with the hot water.

(To be continued.)

ART. VI.—IRISH ART, ARTISTS, AND ART UNIONS.

THE fine arts in Ireland have at no period been in a very flourishing condition, and this indeed is a truism so well established and recognized, that it is scarcely requisite in treating of art, to set forth the fact; but the causes which predispose to, and in a great degree occasion their unfortunate position, is a matter on which we are about to offer a few observations.

Their greatest discouragement in this country is unquestionably the apathy towards art, not to say the inability to appreciate it, which the great mass of the public evince; this is not the only drawback to their development, but it is nevertheless a great one; as the fine arts are governed by the same laws of supply and demand, that trade, and indeed all things sublunary, are forced to acknowledge. This may seem, at the first glance, rather incompatible with Celtic tendencies, with our natural quickness and vivacity, as well as with the numbers of our countrymen who have attained to eminence in the arts; nevertheless the fact will be found so, and may most probably be explained in some degree, by the social and political position of the great mass of the fathers and mothers of the present men and women, by the want of a diffusion of wealth amongst the middle

classes, by the almost total absence of art education, and not least, by political turmoil; which is a great and terrible enemy to the progress of art and refinement. It is to be hoped, that matters will not be always so, and no doubt some dawn of better promise is visible, but it is with the present we have to deal; and that apathy prevails, as well as inability to appreciate what ought to be appreciated, all those possessing the power to discriminate, who happen to visit our annual exhibitions, will find most abundant and conclusory proof; they will be sickened by finding the very worst productions often highly praised and admired; indeed the bad obtain most encomiums, probably because they come more to the level of the admirers thereof: and there is joined to this, an affectation of judgment, that is positively disgusting to the educated in art; they affect a sort of cynical criticism too, that vexes; for it is ten to one, but they all say it is a horrid exhibition, that there are heaps of trash, and that such and such an abominable daub ought never to be admitted. Although one will often have regretfully to coincide with this latter assertion, yet, as there are several works of real ability on the walls, generally much more conspicuously placed than are the execrables, the wonder is, why they will not be looked at in preference; because those who affect to sneer at the whole exhibition, as an agglomeration of utter daubiness, set themselves up for the "judicious few," and "grieve" accordingly; after all, this is the most prudent course, it is always safer to condemn than to praise; your critic may be safe enough in faulting a real good thing, for if a work be ever so first-rate, it is certain not to be faultless in every particular; but once let our discriminator commend a glorious daub, and he is quenched in ridicule: he is wise enough to know this, and shapes his conduct accordingly.

It is a matter to be regretted, that so many really very inferior productions are allowed a place on the walls of the Royal Hibernian Academy's annual exhibition. It is contended that this is a fault leaning to virtue's side; as supposing that although bad enough just then, their authors may be encouraged to do better next year. Many artists who subsequently attained to a high position in art, unquestionably did make somewhat indifferent attempts in their early career; but we contend that where there is real genius it will make

itself evident; rude though be its first emanations, still they have the stamp of mind; there is something under all, which glimmers forth; but when nothing is visible, save dull unmistakeable mediocrity, or sometimes not even so much, it were but christian charity to discourage the perpetrators. Comerford said, alluding to those patrons who invite young men showing a little talent for drawing, to become artists, that they were doing a real and substantial injury to society; they were destroying very excellent carpenters, smiths, house-painters, &c. &c., and creating a class of unfortunates, who never would be capable of doing any good for either themselves or others. We greatly fear, however, that the admission of the works in question is as much owing to an anxiety on the part of the Royal Hibernian Academy, to cover their walls, as to the more philanthropic motive. The committee take perhaps the just view of what the public look for and expect. "This celebrated panorama," writes an editor of some print, "is painted on 15,000 square yards of canvass, and if the spectator has not quality, why he has quantity, and that is just as good!"—aye, just as good with the many indeed, no doubt of it—but an institution like the Royal Hibernian Academy ought rather to lead public taste into a right direction, instead of, according to our supposition, pandering to it in a wrong one. It would be, we conceive, far and away the better course to rest satisfied with a smaller portion of wall being covered with pictures. In fact, exhibition rooms are invariably built on an altogether wrong principle, a lofty wall is by no means the requisite which architects seem to believe, but, on the contrary, in most cases it becomes a decided annoyance. No picture that is worth hanging at all, ought to be hung so as to look worse than it really is, especially in an annual exhibition of works by living artists, where, as a matter of course, it becomes a serious object to make them look as well as possible; yet it is a melancholy fact well known to artists, that no picture ever looks as well in an exhibition room as in the studio. Now, if a good work is hung high, it is most materially injured in its artistic effect, and by a parity of reasoning, if a bad one is elevated, it must become still worse; but as the acre of a wall is expected to be covered, ancient and time-honoured custom has made the uppermost tiers of pictures in an exhibition room, be composed of that which is diabolical in art.

It is the knowledge of how much the effect of a picture is marred, that makes such a fierce contest amongst artists for what is denominated "the line;" that is, the portion of wall between three and seven feet from the floor, and which is the only position in which a painting can be fairly viewed. Now, when the spectator stands in the centre of an exhibition room, the works hung on the line are rather concealed by the other visitors; not so, however, with those in high places; they glare on him in all their atrocity, and the *coup-d'œil* will not give him a very favourable impression as to the character of the exhibition; it also affords a pretext for the sneerers to ask if ever was seen such a heap of trash? and asseverate, that "there is not a thing worth looking at in the entire exhibition;" in this way the artists and the daubers are alike confounded. In short, from those two circumstances, from the very bad pictures which the committee admit, and the flippant and depreciatory tone of criticism it has of late become fashionable to adopt, the Royal Hibernian Academy, we greatly fear, has got an indifferent reputation, and that the greatest amount of artistic power will hardly overcome it; a matter much to be deplored—as such an institution, properly directed, could not but exercise a vast influence in directing public taste, and creating a better and more just appreciation of art. The degree of development that the fine arts attain in any country, is a certain index, pointing out its progress in civilisation, wealth, and power. Ireland's position exemplifies this. The contrast, as regards patronage of art in Great Britain, is as marked as in most other respects. Purchases of pictures out of the Dublin exhibitions are, in truth, like angels' visits. It is a fact, already recorded by the agency of type and printers' ink, that at the exhibition of the Royal Hibernian Academy in 1838, the sales of pictures amounted to thirty shillings! And we well remember the forlorn appearance of the half dozen or so of asterisks in the catalogues, which marked the pictures for sale—some few individuals being always found, who laboured under the extraordinary mental delusion, that purchasers existed. With such bright rewards in prospect, artists did not, nor could they be expected to exert their talents. Portraiture and teaching became the only walks of art cultivated—artists, in common with the rest of her Majesty's liege subjects, being expected to pay

rent and taxes, and not exempt from the necessity of eating and drinking.

It was in the year following the one of gigantic sales above alluded to, that the Royal Irish Art Union was established. And from that period commenced a new era for art and artists in Ireland; but, like all other things started in this country, it was mismanaged, and failed—not from the want of public support, for never was any institution better sustained—but it failed, because it did not deserve to succeed. We have no doubt whatever, that its promoters will ascribe the failure to any or every cause, except the one of there being any thing wrong in its management; but the public only ceased to support the Art Union when it found the institution conducted on certain crochety and mistaken ideas, in opposition to the wishes of the whole profession.

The Royal Irish Art Union made the fatal mistake, at its very outset, of placing itself rather in antagonism with the artists—a class of all others which it most affected, and yet at the same time depended on for its efficiency; but a disposition was manifested to ascribe every suggestion that emanated from an artist to an interested motive. Before the Art Union commenced to work even, a member of its committee expressed his conviction, that the Selection Committee would have to fly Dublin at the close of the exhibition, lest the artists would assassinate them—and this spirit manifested itself in many ways. There was not, at any time, an artist on the Committee of Management, although nearly every member of the profession at first was a subscriber.

Not less vital was the mistake of having a committee to select and purchase the pictures, &c., which were to be distributed, instead of the system of money prizes, so successfully adopted by the London Art Union; which enabled a subscriber gaining a prize to gratify his own taste in the selection of a work of art—paying the artist by an order on the Art Union Committee. And if the prizholder preferred a work priced at a lower sum than the amount of his prize, he was at liberty to select it, but the overplus became forfeited to the society; likewise, if a work of art costing a greater sum was fancied, the prizholder was permitted to add the difference—and this occurred in very many instances; but no prize-

holder was allowed to divide his prize, by purchasing a number of pictures; only one work could be selected. The utility of this arrangement is manifest; for otherwise there would be a danger of the larger prizes being frittered away in the purchase of minor works. This system is infinitely preferable; it induces people to think and reason on art, and is therefore educational. A prizeholder lacking judgment, taste, or discrimination, is nearly certain to seek opinions from others whom he conceives possess those acquirements; besides which, it so immediately resembles the legitimate public patronage of art.

By the system of a committee selecting the works from the exhibition, it was a matter of the greatest doubt, that even when a prize was obtained by a subscriber, the department or style of art which he fancied most, should fall to his share. Landscapes were allotted to those who preferred sculpture, and figure subjects to the admirers of marine views; in fact, it reminds one of the mysterious dispensations of Providence evinced in the distribution of coats to the general postmen—"all the long men get short coats, and all the short men long ones."—(*vide* "Pickwick Papers.") One consequence was, that those who had no feeling or taste whatever for art, made use of the pretence of not liking the work which fell to their lot, as a reason for disposing of it; and as the man who prefers a pair of breeches to a painting by Landseer, will not be difficult to please regarding the price he may obtain, the Art Union prizes were offered for sale, in all quarters of the city, at a fourth, and sometimes at an eighth of the price the artists received for them. To such an extent was this carried, that a proviso had to be inserted in the Act of Parliament legalizing Art Unions, prohibiting any prizeholder from disposing of his prize, until one year after its distribution by the society. The money prizes would, to a great extent, have counteracted this tendency, as having selected a picture or other work of art, to the prizeholder's own fancy, shame, if no higher feeling, would prevent its being immediately disposed of for any thing it might bring in the market.

The Royal Irish Art Union acted on the system of bureaucracy, prevailing to such an extent in continental institutions, which presupposes, that mankind are children, quite incapable, if left to them-

selves, of doing any thing right, and therefore kindly takes every thing into its own hands. Acting off this system, the Committee of Selection issued their fiat, and the Irish public were required to take trustingly, and without enquiry, every work as most admirable, which coincided with the ideas of excellence entertained by the committee. Not much improvement in public taste was likely to result from this system of teaching the principles of art by rote, even if the committee possessed, within itself, the first taste of genius of the age—which it did not. At first, indeed, the public was willing enough to give the committee credit for all the discrimination it supposed itself to possess, and its decisions became most potent. It is but just, however, to observe, that during the first two years of the Art Union's active existence, it was much less objectionable in its procedure than it subsequently became. The Royal Irish Art Union professed itself established, "to raise the arts in Ireland from their degraded position," and "to create a patronage that would induce our artists to devote their time and talents to works above mere portraiture." The plan of the society, as arranged at a meeting held in Dublin, 8th April, 1839, was as follows:—

"This Society is established for the encouragement of the Fine Arts in Ireland, by the purchase of the works of living artists exhibited in the metropolis.

"A Committee consisting of twenty-one members, chosen at a general meeting of subscribers, select and purchase at the exhibitions, from the artists in Dublin, such works of art as are creditable to the talent and genius of the country; and at the close of the season these prizes are distributed by lot amongst the subscribers."

In the Society's Report for the year 1840, the following passage occurs—

"Your Committee would, however, recommend to their successors, to impose so far a restriction on the purchase of the works of foreign and non-resident artists, as to give the preference in every case where the merits are equal, to such works as have been painted within the year, and expressly for the exhibition in Ireland. They consider that this will give the resident artists a fair priority, with a proper stimulus for exertion, and allow the productions of each successive year to bear evidence in themselves of the advance of art."

These were the grounds upon which public support was solicited for the Royal Irish Art Union, and upon those grounds the Irish public most liberally subscribed to that Institution; but it will scarcely be credited, that the way in which the committee carried out those professions was, by allocating a larger portion of the funds placed at their disposal, on non-resident artists, than on the artists in Ireland. This was not the course pursued in the two first years of its existence; during that period, the constitution of the society was adhered to, and the results were in the main satisfactory; but in the subsequent years, from some unexplained cause, a totally different principle seems to have pervaded its councils, and the consequence is, the gradual extinction of what might have been a most useful and valuable institution. In the two first years, viz., 1840 and 1841, there were works of art amounting to £1000 purchased from resident artists, and a sum of £510 was spent on works produced by non-residents; but from the year 1843 to 1848 inclusive, £5,470 was appropriated to the purchase of works by non-resident artists, and a sum of only £3,572 was devoted to the encouragement of the artists residing in this country. The absurdity of supposing for an instant that the productions of English, or even of Anglo-Irish artists, could by possibility be thought creditable to Ireland, is self-evident, and how the Art Union Committee of Selection arrived at the conclusion that they were "creditabile to the talent and genius of the country," we are utterly at a loss to conceive. That Irishmen have attained to eminence in art, literature, or science, we, as fellow-countrymen, may surely feel some laudable pride; but that we should take the credit of all the talents which others have had the taste to appreciate and foster, is surely mean, and akin to the procedure of the fly in the fable, who congratulated himself on having raised all the dust caused by the coach. Indeed the Committee have furnished irrefragable proof, that they considered themselves as having departed from the original constitution and basis of the society; for feeling the utter absurdity of so designating their English purchases, they caused the following ingenious interpolation to be inserted in the catalogue of their prizes in 1846—

"Plan as arranged at a meeting held in Dublin, April 8, 1839, the Marquis of Ormonde in the chair, and confirmed at a general meeting held 15th April, 1840.

" This Society is established for the encouragement of the Fine Arts in Ireland, by the purchase of the works of living artists exhibited in the metropolis.

" A Committee consisting of twenty-one members, chosen at a general meeting of subscribers, select and purchase at the exhibitions in *Dublin*, such works as are creditable *for talent and genius, and likely to promote a correct feeling and taste for art throughout the country*; and at the close of the season these prizes are distributed by lot amongst the subscribers."

The words in *italics* show the entirely new signification which the Committee sought to foist on the public, as the original constitution of the society. It would be a proceeding greatly to be deplored by all interested in the development and progress of art in Ireland, if the Committee were entirely debarred from purchasing any works contributed from England or elsewhere, by artists of superior attainments to our own. Their works being brought in juxtaposition with those produced in the country, would no doubt afford that "proper stimulus for exertion" alluded to in the Report of the Art Union already quoted; but quite a different result was arrived at, by the system adopted of swamping the new-born exertions of our own artists, by the quantities of non-resident productions which crowded their efforts into the back ground, or more strictly, up to the ceiling. But indeed the Royal Hibernian Academy is quite as much, perhaps far more, to blame, than is the Art Union Committee, for if that body had not in the first instance given the Art Union the opportunity, by the quantity of English works with which their exhibitions were inundated, the Committee of Selection, could not with any show of propriety, have pursued the mischievous course which it clung to so pertinaciously; and surely, when a body of artists could not be true to the interests of their own profession, a few gentlemen in nowise connected with it, save by a kindred feeling for art, can hardly be blamed for acting similarly. The Association for the promotion of the fine Arts in Scotland, (an Art Union Society,) at its establishment, with true Scottish prudence, restricted itself to the purchase of works produced by natives of that country; and when, several years afterwards, it became apparent that art had sufficiently progressed to be able to bear competition with the English school, the regulation was rescinded, and the great principle of free trade in art, as in all else, was allowed to come into healthful activity.

The arts can only advance by the advance of artists—they act and re-act on each other, and it was mainly by attempting to separate them, that the Art Union failed. There is a certain point beyond which competition eventuates in utter discouragement, and effort is relaxed from a conviction of its hopelessness. Up to 1840 there was literally no encouragement for art in any of its branches, save portraiture, and of that even not much; men therefore turned their attention to other pursuits, and those who possessed that decided bent of genius, which clings through all discouragement to its object, sought countries where their efforts were better appreciated. The Royal Irish Art Union created a new field for its patronage; it professed its great object to be the development of art, in a country where art was in a straggling and enfeebled state. This was its highest mission, and if divested of this object, it would become but a trading speculation to all intents and purposes. Proficiency in art, either by nations or individuals, is only arrived at by years of patient toil and application; to expect our struggling artists could compete on equal terms with the artists of England, for years in possession of advantages and patronage altogether wanting here, was surely as rational as to expect a child to contend successfully with a full grown man; and therefore, when the first year's Report of the Art Union Committee enjoined on "their successors so far a restriction on the purchase of the works of foreign and non-resident artists, as to give the preference in every case where the merits are equal," was virtually to give no preference whatever. It must occur to every astute mind, that if the object of the Art Union be merely to "advance art in Ireland," by disseminating "works which are creditable for talent and genius, and likely to promote a correct feeling and taste for art throughout the country," its establishment was altogether a work of supererogation, as the London Art Union, established some years prior to the Royal Irish, was in a much better position for carrying out such an object, and it could have been more economically, as well as more certainly advanced, by instituting a branch office for collecting subscriptions in Dublin; the very highest class works, and best emanations of the English artists, being at the disposal of the London Art Union; whereas to our exhibitions are forwarded only those works already exhibited in England, which

have failed in obtaining purchasers, and may therefore, in some degree, be classed as the refuse of the London exhibitions.

Art Union Societies originated in Germany, and were established many years there before being introduced into Great Britain; their peculiar feature was, that a number of individuals of limited income, by joining their aggregate of small subscriptions, were enabled to become possessors of works of art, that, before the establishment of such institutions, were quite beyond their means, thus disseminating taste and feeling amongst the masses of the people. On their introduction into mercantile and matter-of-fact England, a new feature was added to them, viz.—diffusion of engravings. One of the pictures purchased was engraved, and a copy given as a bonus to each of the subscribers; whether this was really a judicious addition, it is very difficult, if not impossible, to determine: what is possessed by nearly everybody, nobody particularly values; and an Art Union print was certainly infinitely less thought of than almost any other print. The fact is, a work of the highest excellence, if seen in every print and framemaker's window, and hanging in every house one enters, will inevitably pall on the eye, and become distasteful from too frequent repetition. However, be the introduction of engravings a desirable feature, or the reverse, in Art Unions, it certainly engrosses a large portion of the funds; during seven years of our Art Union's existence, over £8,000 was so appropriated. In Ireland, as regards art there was no printing press—her twin sister, literature, was differently circumstanced—but the creation of an Irish artist's brain had no opportunity of becoming patent to the public: to engrave a work from our annual exhibitions was therefore a great boon to the artists of this country; but in this even the committee could not be true to its mission.—the spirit of tuft-hunting that is implanted to such an extent in every thing Irish, was apparent in its selections for engraving. No meeting or assembly is thought anything of, unless presided over or graced by nobility; lower in the social scale, when the presence of a lord can scarce be hoped for, the sparkle of a military uniform is the essential, which, if by dire misfortune wanting, renders madam's party a comparative failure; every institution must be a Royal one—and even the butcher and baker pursues his calling—“By Authority.” This utter absence of independent spirit and self-

reliance has done more to check progress, than would readily be supposed.

In its prints, also, the Art Union commenced excellently; "the Blind Girl at a Holy Well," by Burton, and "the Young Mendicant's Noviciate," by Rothwell, were admirable in all respects, were both high class works of art, were both exhibited in our exhibitions, and were both by resident artists; but afterwards, distinguished names seemed to be the only desideratum sought by the committee. Sir Martin Archer Shee's "Belisarius," described as the "*chef-d'œuvre* of that distinguished Irishman," was a most unhappy choice,—uninteresting, unartistic, and common-place. Maclise's "Peep into Futurity," never peeped out of it; Mulready's "Fight Interrupted," is also in the womb of time; and Heaven only knows what principle guided the selection of Corregio's "Egeria!" a composition destitute either of mind, truth, or delicacy. Except in the instances of Burton and Rothwell, no work from our annual exhibitions was selected for engraving—no talent "to fortune and to fame alike unknown" has been elicited. Here was a magnificent opportunity utterly lost. The committee cannot look back on the eight or nine years' existence of the Royal Irish Art Union, with the expenditure of nearly £28,500, and point to anything great or lasting it had achieved. On the contrary, the arts are left in a far worse position than before its advent; for there is now joined to the apathy of the public, an equal apathy on the part of artists, and the energy to produce anything noble in art, is as much wanting as the appreciation or patronage to call it forth.

It has been often stated by the committee that the resident artists demanded most exorbitant prices, and this circumstance has been advanced as the reason why more of our artists' works were not purchased. Undoubtedly to some extent this is true enough. Works of the kind being a new requirement in Ireland, their producers did, in some instances, greatly over-value them; but the committee rather gave the initiative in this, and awarded to its favourites, prices that were quite as exorbitant; and it was perhaps but natural that other artists, not so fortunate, should estimate their works as equally worthy of price, and, in some cases, they were perfectly justified in arriving at such a conclusion. Neither did the

committee, by the line of conduct it adopted, tend to bring such pretensions to a right level. Men of abstract pursuits are proverbially sensitive, and quick to take offence, and artists most peculiarly so. The Selection Committee assumed quite too high a tone. In the printed notice usually forwarded to the artists, they were informed that "the committee *could award*" such a price. Now, when no award was sought, this was, to say the least, a little annoying; and the objections to price seemed not to be influenced by any kind of determining principle. Artists, required to accept five pounds less, were greatly chagrined at finding, in the following year, when they had purposely asked, for works almost exactly similar in all respects, the very price named by the committee, to find a still further reduction of five pounds was "*awarded*;" in many cases also, for £25 and £30 pictures, two and three pounds less were offered—a system of higgling, for art especially, which, however passable in an individual, is, from a public body, most atrocious! Also, in the published list of works purchased for the society, certain of them were marked "artists' price," thereby, of course, making it evident, that when this significant sentence did *not* appear, the price had been beaten down—a thing which a high-minded artist would of course prefer not to have made public. It is very questionable, however, that, if the committee had paid to artists for their works larger prices than they were entitled to, or could reasonably be expected to bring, such disastrous consequences would have ensued as the course taken has entailed; and it is morally certain, if the money prize system had been adopted, such a contingency would never have arisen. However the committee may be influenced by either clamour or cliqueism, certainly the public can not; and the prices usually asked by English artists, as well as public opinion, would very rapidly bring extravagant pretensions to a rational basis; and the Royal Irish Art Union would now be a benefit to society, and an honour to its founders, instead of, as at present, to all intents and purposes, extinct. But so wedded to the Selection Committee system were its managers, and so strenuously did they advocate it, in preference to that of money prizes, before a Committee of the House of Commons during the Art Union agitation, on their presumed illegality and immoral tendency, that, carried away by the same furor, it recom-

mended the prohibition of any other system; and it was only owing to a most persevering and determined stand that the managers of the London Art Union were enabled to preserve the integrity of their institution. Had that body been forced to adopt the system so bepraised by the Royal Irish Art Union, it would, instead of the prosperous and highly useful career it is so successfully pursuing, most indubitably be now in the same unenviable predicament of the latter institution.

Having found it necessary, in order clearly to point out those causes which superinduced the failure of our Art Union, to write much in dispraise of its management, it is but fairness to allude to those points deserving of commendation; and, unquestionably, to its promoters, and especially to the gentleman who fulfilled the duties of Honorary Secretary, is due the merit of having created a feeling for art, and giving an impetus to its progress that, considering the former apathy towards it, was really astounding; and only makes regret more poignant, that his untiring energy and perseverance should have received such an unhappy bias, as to neutralise, in a great measure, those admirable results; for no set of men ever evinced such determination in clinging to, and carrying out, against all opposition, their own peculiar ideas.

The feeling aroused in favour of arts was remarkably evinced by the vast increase of visitors to the annual exhibition, and also by the purchase of several works—in itself an altogether new feature in this country. The committee, by offering prizes for engraving, essayed to develope that art, and it was owing to the establishment of the Art Union, that a copperplate printing-press was for the first time set up in Dublin by an enterprising citizen, Mr Cranfield, by which the committee was enabled to have the Society's engravings printed under its own immediate superintendence. This gentleman has also entered into the print publishing trade, and induced an eminent engraver to become a resident amongst us, and several high class works have been lately published by Mr. Cranfield—painted, engraved, and printed in this country. These fruits have certainly been owing to the Art Union, and we must only hope that *all* will not prove evanescent; but the taste for art, as evidenced by the visitors to our exhibitions, and also the exhibitions themselves, have fallen back to

their former state—but on this subject we shall have some further remarks to offer.

The National Art Union, established here in 1844, took even more effectual steps to found a school of engraving in Dublin, as its managers induced an engraver to come over to this country, and their first print, "Sunday morning," painted by Mr. William Brocas, was engraved here. This society was based on the money prize system and in its general management gave much satisfaction; but its subscription being only five shillings, the greater portion of its funds was absorbed by the expense of the annual engravings, and but a small portion was available for the purchase of works of art. However, had the funds at its disposal been larger, its career of usefulness would have been much extended, as those errors in judgment, fallen into by the Royal Irish Art Union managers, were avoided by this society. Latterly, the yearly subscription was raised to ten shillings; but from the disfavour into which, in this country at least, Art Unions have fallen, and the great expense of the engraving, the society is not making progress. Indeed, from the little favour in which all Art Union prints are held, it is questionable but that, if established on the original German system of having no prints, it might succeed better, for, even with the most flourishing Art Union in the kingdom, the proportion of prizes to subscribers is as one to fifty.

The almost total absence of art-education in Ireland has been already alluded to in this article, as a great cause of our backward position as regards the fine arts—in fact, a knowledge of drawing is altogether a luxurious and elegant amusement of the higher classes, and is not thought by the great mass of the people to have any other use, or imagined to be at all utilitarian. For many years there has been a very excellent drawing-school attached to the Royal Dublin Society, and certainly, to be useful, it could not be connected with a Society better adapted to render it so; but the attendance of pupils, we believe, seldom averaged more than fifty, and instead of making the education there imparted practically of value, as applying to various branches of trade, the majority seemed only anxious to become professional artists—a walk of life, requiring an amount of talent not given to many—even, at the best, somewhat

precarious—and, with mediocre acquirements, the most wretched. In France everybody, as a matter of course, is taught to draw as naturally as to write; there its usefulness in all branches of industry is well recognized, and its fruits are evidenced by the extraordinary proficiency of its people in all the elegancies of taste and design: there is a general appreciation too of that which is beautiful, in preference to bad or vulgar in form. The late Dr. Cooke Taylor used to say, that “beauty was as cheap as ugliness, and a deal preferable any day;” but we fear this principle is not so well understood in Ireland, and manufacturers are forced to make articles to suit the market. Look, for instance, at the willow pattern plate! would such an abomination be tolerated in France? Yet it is impossible in this country to get it understood, that a plain white plate is an elegant article, compared with such a specimen of pictorial ornament! or that a jug or a cup, daubed with one or two rubs of red and blue paint, is not thereby improved in its appearance. The School of Design, lately established in connexion with the Royal Dublin Society, will no doubt do much towards creating a better state of things; and we hope its sphere of utility will not be contracted, owing to a higher class in society availing themselves of its instruction, to the exclusion of those for whom it was more especially intended, and of which we have heard some whispers. It is greatly to be feared also, that, unless art-education becomes more generally diffused amongst the people, by means of our National Schools, &c., the School of Design will only half effect its object; if that which is beautiful in its design is not generally appreciated, manufacturers will not produce it; for after all beauty is *not* quite as cheap as ugliness, and unless there is a disposition to pay a little more for the elegant article, the ugly one will prove the most remunerative. There is perhaps no manufacture in which taste, both in the designer and the purchaser, is so much, or so generally in requisition, as in paper-hanging for walls of dwelling-houses; and the superiority of the French designs over those of home make is in nothing so evident. As we were admiring some beautiful specimens of the kind at an establishment in this city a few days ago, the shopman took occasion to remark how very few of them were purchased, although, he said, they were very generally admired. We opined that per-

haps they might be too expensive. He said—no, not so much owing to that cause, for often a more costly paper, in the usual old style, with plenty of gilt ornament, was selected; but that, generally, when the plain affair was somewhat cheaper than the more tasteful design, cheapness got the preference; the disposition to make a sacrifice, in order to procure the more elegant article, was altogether wanting, and the gaudy, or the vulgar, obtained most admirers. Truly, we thought, “like cleaveth to like.” In how few houses one enters the paper-hangings are in good taste, or selected with a regard to the general aspect of the rooms; very seldom is seen the beautifully pannelled papers, with the chaste flower borders, that our French neighbours, and, indeed, latterly the English also, delight in so much; and yet nothing is so constantly before the eye, or is more calculated to influence taste, especially in the growing generation.

Unquestionably, there is a vast improvement, both in the character of the designs for embellishing our dwellings, and in public taste. In articles of furniture, it is no less evident. The superiority of the circle and the curved line, over the square form, is better recognized. Who that remembers the villainous chairs and tables that surrounded their infancy, will not see the immense improvement on such ugly forms—the square legs getting smaller as they approached the ground, and all the other mis-shapen abominations that were then thought beautiful. In all articles of hardware, in fenders, grates, and chimney-pieces, and in the construction of dwelling-houses, the improvement is most marked; even the little articles of bijouterie spread on drawing-room tables, evince a progress in taste, and show that ultimately the Fine Arts cannot but attain to their proper position in Ireland.

It has been said, that “he who causes two blades of grass to grow, where only one existed before, deserves well of his country;” but he who originates a new opening for human industry, especially one adapted to the employment of women, in this age, when there are so few outlets for their industry, and so many temptations to vice, is surely infinitely more a benefactor of his species. It is calculated that in Paris nearly 30,000 women earn an honourable subsistence by the manufacture of various little articles of taste and ornament, principally of paper, or papier-maché; and can the iron utilitarian

show any such results from his standard of usefulness, or point out better means for the employment of a "surplus population." Nature seems to indicate this, by developing a desire for that which is elegant in the same ratio as wealth and population increase.

And let no one sneer at the introduction of such topics, as out of place; it is by those familiar objects that the great progress of taste is influenced, and the power of appreciating the noblest efforts of genius built up—in itself a talent. Minute objects in nature were not considered beneath the attention of the highest intellects that have adorned art, and the smallest or most homely trifles may be ennobled by the impress of genius. No doubt, those who declaim in sonorous sentences about "High Art," will have their exquisite sensibilities cruelly wounded. To listen to this cant in art is oft times the most horrible infliction that can be visited on an artist; and the greatest misfortune of his profession is, that every one knows infinitely more about it than does he, who has devoted a whole life to its exclusive study.

In addition to the Drawing Schools of the Royal Dublin Society, there has been for several years a school of drawing and painting connected with the Royal Hibernian Academy, but intended principally for students in art, drawing from the living model being a part of the course of instruction, an annual grant of £300 having been given to the Academy, about the year 1837, for that purpose. It possesses also a very good collection of casts from the antique, and a small library of works, principally on art. This institution owes its foundation to the munificence of a private individual, the late Francis Johnston, Esq., who, entirely at his own expense, built, and presented to the Academy, in the year 1826, the building in which its annual exhibitions, schools of art, &c., are held; and, about the same period, a Royal Charter of Incorporation was conferred. Many years prior, the artists of Dublin used to hold their exhibitions in what is now the City Assembly House, in William-street, but from some cause it passed out of their hands: they were denominated, "The Society of Artists," and their first exhibition was held in the year 1765; prior to which period, none are supposed to have been holden in Ireland. A grant of £500 was voted to the society by the Irish Parliament, and exhibitions continued to be held annually until 1775, the number

of works varying from 88 to 160: after this time the exhibitions were held at greater intervals, and, about 1782, the society became extinct. Exhibitions were again held in the year 1800, at Mr. Allen's, Dame-street, an establishment for a long period connected with the fine arts: they continued at intervals, sometimes being holden in the lately vacated Parliament House, but more generally in Hawkins-street, where now stands the Theatre Royal, then occupied by the Royal Dublin Society. Subsequently the Hibernian Society of Artists was formed, out of which grew the present Royal Hibernian Academy; but a good deal of bickerings and petty jealousies existed in those times as well as now—for the artists had no particular bond of union. In 1814 a rival society was formed by the artists, and for a few years two exhibitions were opened at the same time; in contradistinction to the other, it was called the Irish Society of Artists. This latter body would seem to have been more influential than the older established society, for although its exhibitions were at first held at the late Mr. Del Vecchio's establishment, they were afterwards held in Hawkins-street, to the exclusion of the Hibernian Society. The grounds of opposition would seem to have been somewhat selfish and illiberal, relating principally to a division of the funds. In an address from the Hibernian Society of Artists to the Honourable Dublin Society, in 1815, they state that

“ Their institution is not a partial monopoly, confined to a few individuals, but embraces in the most liberal manner the whole profession.

“ They object to artists elected for an unlimited period, whose powers are to be delegated to six, or rather three or four individuals, upon whose honour or honesty the division of the money must depend.

“ Instead of appropriating the funds collected by exhibitions to their own individual use, they have always conscientiously disposed of them to the relief of aged and decayed artists, and from the period of its formation to the present time, have constantly afforded a certain stipend to cheer the old age of a once highly respectable artist, besides occasionally extending assistance to others, where it appeared necessary.”

Ultimately the artists amalgamated, and they continued to exhibit occasionally, often two or three years intervening between each exhibition. The last exhibition held, prior to the establishment of the Royal Hibernian Academy, was in 1823, and was confined exclusively to water-colour paintings and drawings.

The constitution of the Royal Academy of London was taken as the model, the number of its constituent members being reduced, to suit the requirements of art in Ireland, but it would have been well if other differences had also been introduced. The nature of all academies is to create a kind of aristocracy in art, the usefulness of which is questionable, as the academician's gown does not confer talent, and with talent a man is almost certain to become celebrated, without the honour; the aristocracy of talent is, after all, the only legitimate one in art, and is a qualification, that, since the days of Salvator Rosa, has not been the one invariably looked for by academies. An aristocracy cannot exist without a tolerably numerous grade below it, and the attempt to create one in Irish art, greatly resembled forming a regiment of captains and lieutenants, without any rank and file.

The Royal Hibernian Academy was composed of fourteen Academicians and ten Associates, and, as a natural consequence—the total number of artists being but little more—bickerings and paltry contentions have prevailed amongst them, almost since its foundation, thereby militating seriously against its usefulness, especially when no great feeling or taste for the Fine Arts was entertained by the public. To be useful, the institution should be capable of expansion, and ought to contain within itself all the respectable talent available in the country. The notion of an Academy, in the usual sense of such an institute, for Ireland, is simply absurd. Now there was always a comparatively large portion of professional talent outside the Academy; and, unfortunately, in addition to a moiety of its members being non-resident, of some who were resident, it was rather difficult, judging from their displays on the walls of the exhibitions, to fancy what qualifications for membership they were thought to possess. A great part of the misunderstanding which existed was owing to the places assigned in the annual exhibitions to the works of those artists who were not members of the body, so much so, indeed, that not a few of them ceased altogether to exhibit. There is, perhaps, no point on which it is so difficult to afford satisfaction as in the placing of the works in an exhibition—in fact, to satisfy artists in this respect is a moral impossibility, so many other considerations, independent altogether of the merits of the works, having to be considered—such as size, general effect, and the necessity

sometimes of re-arranging nearly the entire exhibition; the placing of some requiring, for all sakes, the displacing of others. We have already remarked that no artist's work appears to the same advantage in the exhibition as it appears in his studio, especially when placed in juxta-position with other highly-coloured, perhaps superior compositions. Of course, the artist will ascribe its altered appearance to any cause rather than a defect in the creation of his pencil; he will prefer to think himself ill-used, rather than admit, even to himself, of such a possibility. But it by no means follows that real causes for dissatisfaction may not have existed. Artists did feel annoyed at being excluded from any voice in the management of the Academy, when others, certainly if not inferior, in no respect their superiors in talent, were admitted. We believe it is an inherent property in all human institutions that a slight infusion of cliqueism will prevail, and where there is professional rivalry in addition, of course there will be just ground of complaint. It has been assigned as a reason why absentee members are not distasteful to the Academy, or why the smallness of the body is not regarded by its members as a defect calling for remedy, that its management is thereby kept more immediately amongst a certain few, who kindly elect each other, and that the few offices of emolument, by not having too many qualified to fill them, fall oftener to the individual member's share; but, we sincerely hope, for the honour of the Academy, that such an imputation is unfounded.

After the establishment of the Art Union in 1840, these causes of complaint were rather increased than diminished—to such an extent indeed were they felt, that in 1842, a portion of the artists determined on forming a new society, to have an annual exhibition of paintings and sculpture; it was denominated the Society of Irish Artists. Paintings in water colours predominated in its exhibitions, and latterly it became almost entirely a water colour Society, similar to those of London: they were principally painted by resident artists, although it was not limited exclusively to the works of such. The first of its exhibitions in 1843 contained 140 works, which were all by resident artists, and evinced great promise and ability. This was the average amount the Society's exhibitions contained; about 10 per cent. of which were contributed by non-resident artists.

When it is borne in mind, that the average number in the exhibitions of the Royal Hibernian Academy, before the Art Union commenced working, was 260, this must be viewed as a very respectable amount, as both the societies' exhibitions opened at the same time. The year the Society of Irish Artists held their first exhibition, that of the Academy contained 671 works, 50 per cent. of which were by English and Scottish artists, and formed indeed the main attraction, as wanting them, it would have been but an indifferent gathering. The increasing numbers of English works which were annually hung in the most prominent positions on the walls of the Academy, to the serious detriment of the resident artists, was one of the chief causes of complaint. Before the Royal Irish Art Union was established, our exhibitions were not honoured with many specimens from the other side of the channel; but when the current coin of this realm, which the Art Union were about to expend in the encouragement of art, came in question, they were forwarded in yearly increasing quantities. The resident artists felt naturally indignant at strangers enjoying a larger portion of the advantages they considered themselves as having the prior claim to. They thought if the Royal Hibernian Academy meant any thing, it meant an institution for the promotion and encouragement of Hibernian art; and they knew that Francis Johnston presented the building "to the Artists of Ireland." It must not be imagined, that the entire exclusion of English works was sought by the resident artists; they merely wished to see the Academy exercise a due discretion in regulating the number admitted; they very well knew the advantages of having an infusion of talent from the London exhibitions amongst their own annual displays, as an incentive to emulation and improvement, but they questioned the utility of covering the walls with a quantity of works but very little superior to the average of their own—especially at a considerable outlay for the expenses of their carriage.

When the Society of Irish Artists was established, as a matter of form, the Art Union Committee were applied to, in order to learn if the new society came within its rules, because it was well known that it did; besides, the Art Union had already purchased works from an exhibition at the Royal Dublin Society, composed princi-

pally of the works of its pupils. Unfortunately the committee did not confine itself to simply replying, but took advantage of the opportunity to assume the position of a dictator over the artists, by enclosing the following resolution:—

“Resolved—That by the rules of this Society, the Committee of Selection are fully empowered to purchase the works of living artists from any regular public exhibition in Dublin, provided the same have sufficient merit, are fairly priced, and *bona fide* the productions and property of the artists themselves. The Committee, at the same time, earnestly trust, that the establishment of a new society, during the infancy of exhibitions under the present system, may not lead to any schism injurious to the great public object—the encouragement of Art in Ireland.”

It ought to have occurred to the committee, before inserting such an uncalled-for interpolation, that the artists had the encouragement of art in Ireland quite as much at heart, and were infinitely more likely to be correct judges of what was prudent or desirable for their professional interests, than any set of gentlemen unconnected with art, save by a common appreciation of its beauties. Competition is generally useful, unless when carried to extremity—and the two societies had a decidedly beneficial effect on the arts. The members of the newly formed one felt the necessity of making greater exertions than would otherwise have been required, and the second exhibition had also the effect of stimulating the members of the Royal Hibernian Academy, but unfortunately, their efforts were principally directed towards obtaining as many works from the studios of English artists, as could conveniently be had.

The Royal Irish Art Union should have maintained a position of strict neutrality between the two societies, as the slightest degree of favour shown one, would, as a matter of course, be jealously resented by the other: but, instead of adopting this prudent course, the committee manifested a very decided partiality and bias towards the Academy, of which the resolution above alluded to was the first evidence. During the five years that the Society of Irish Artists contrived, amid many discouragements, to maintain its position, the average amount expended by the Art Union Committee in the Academy's annual exhibition, was very close on £1800, while its average expenditure in the exhibitions of the Society of Irish Artists amounted to but £250, except in the year 1845, when £500 was

the amount, and this was the only year that an approach to any kind of fairness was shown. It must be observed, however, that in the same period there was a larger portion of works by resident artists purchased from the Irish Artists' exhibition, than from that of the Academy. The new society was ultimately obliged to succumb; its last exhibition was in 1847; but the Royal Hibernian Academy has not been thereby any gainer, for some members of the Society of Irish Artists directed public attention so effectually to the mal-administration of the Art Union Committee, that the latter institution has also had to succumb, and the Royal Hibernian Academy is now in even a worse position than it occupied before the establishment of the Art Union.

It is evident from the foregoing that the institution most chargeable with the present depressed position of the fine arts in this country is the Royal Hibernian Academy, although established for their particular promotion and advancement. First, from its limited constitution, it became a cause of contention, instead of a benefit to the artists; when the Art Union created a new feeling in favour of the arts in Ireland, the Academy attained a position it never before occupied in public estimation; but continuing, or rather increasing, its erroneous line of action, it forced a section of the artists into forming what must be considered a rival society. It then intrigued the Art Union Society into adopting a partisan policy, which resulted in the almost total extinction of the latter body, and a relapse of public taste for the arts into its former apathy. Although, from the mistaken line of procedure adopted, the Art Union contained within itself the seeds of decay, it is questionable but that, had the resident artists been a united, instead of a divided body, they would have succeeded in correcting the errors of its administration; in fact, the committee could not have persevered against their determined and unanimous remonstrance.

The present prospects of the fine arts in Ireland are sufficiently gloomy; and the circumstances which have contributed to this result are much to be regretted. We have endeavoured to point them out, with the view that, once clearly ascertained, some steps may be taken to correct them. Some effort ought surely to be made to place the Royal Irish Art Union on a better basis, before it be-

comes entirely extinct. It is very disheartening that, out of all the Art Unions which have been established in various parts of the empire, ours is the only one that has failed through mismanagement. An Art Union is of all other institutions the one most likely to be favourable to the development of art in Ireland, being perfectly suited to the present circumstances of the country, very few having the means, we say nothing of the taste, to be its patrons. It is also an institution completely in accordance with the great tendency of the age, which is unmistakeably towards joint-stock associations, enabling men to achieve, by their united efforts, those astounding results which, individually, they never could effect. The Royal Hibernian Academy, if true to its mission, ought to take some steps in this matter; it is peculiarly its own province, and from no other quarter could the initiative be more gracefully or more appropriately given. Nor will this alone be sufficient: the Academy must enlarge itself, or it will fall! It must become an Institution suited to the requirements of the profession, and in harmony with modern progress.

ART. VII.—LITTLE BOOKS FOR LITTLE LAWYERS;
OR,
THE STATUTES MADE EASY.

UNDER this heading we may, with great propriety, class a set of very small works, upon very important Acts of Parliament, which have, within the past two years, inundated the trade, and lumbered the counters of the Dublin law booksellers. It appears to be the custom of certain publishers of our city, in combination with some gentlemen of our bar, to seize, with paste and scissors, upon each statute relating to Ireland, the very moment it issues from the press of Her Majesty's printer. Those parties having got their statute, or, as good old Mrs. Glasse would say, "having caught their hare," announce to the world the astounding and very gratifying intelligence, through the pages of the *Freeman* and *Saunders*, that there will immediately appear a work upon—

THE ACT
FOR ALLOWING EVERYBODY TO DO
EVERYTHING;

WITH

Commentary, and Table of Practical Forms.

BY

LITTLETON COKE O'SHAUGHNESSY, Esq., A.B.
Barrister-at-Law.

DUBLIN :

PUBLISHED AND SOLD BY
CAXTON DE WORDE O'FLAHERTY,
500 SACKVILLE-STREET.

Price 2s.; by post, 2s. 6d.

In a few days the precious work comes forth, and it is found to consist of the Act of Parliament, printed precisely section after section, as it issued from the royal printer's press; and the commentary proves to be but the information contained in the marginal notes, which are collected and strung together at the commencement of the little legal primer.

Now we have no objection whatever, we can have no objection, to any enterprising publisher investing a few pounds in any work that may seem to him either well compiled, or likely to sell. He is a trader in books, and no matter how good his taste in literature may be, he must be ever on the watch for novelty in his business. But, as members of the legal profession, we do most solemnly protest

against the good taste of any legal brother who lends his name to the class of absurd publications above referred to, and who, for vanity, or the gain of a few shillings, becomes the hack of a speculating publisher.* What assistance can any man derive from such books? What aid is there, in a practical form, which tells one, after a formal commencement, "Here set out the particulars," whilst the particulars may occupy pages, and the unfortunate purchaser of the book may be utterly at a loss with which particular to begin, or unable to form an opinion as to how many should be inserted? We take it that these books are meant for the legal profession, and we ask, is not any man of common understanding as well able to discover the meaning of an Act of Parliament, from the act itself, as from the legal reading-made-easy of Mr. A. or Mr. Z.? We feel quite satisfied that not one man in ten calls for these books in the library, whilst a copy of the act itself can be obtained. And if this be the fact, is it not pitiable that members of the bar will have so little regard for the credit of their profession, as to lend their names to such catchpenny trifles as those to which we have referred. We confess, we candidly confess, that we look upon this class of legal publications with very considerable regret, and very great disgust. We know, everybody knows, that in text-books, and in general legal literature, the Irish bar is most woefully deficient. With the single exception of the late Mr. Furlong's book upon "The Law of Landlord and Tenant in Ireland," there is not another legal work, written by an Irish lawyer, to which the Irish bar can point with satisfaction or pride. True, we have Mr. Longfield's very able practical books on Distress and Ejectment, and Mr. O'Leary's work on Tithe Rent Charge. But what are these? What can they serve to show, but how little the theory of law, or its study, has occupied the Irish lawyers for the past forty years. All men know that the Irish bar has not as high or as respected a name in England as it deserves. Our reports alone are the best efforts of our legal writing known to the bar of England. And surely, no man in his senses can say that we have lately done anything to advance our reputation, or to increase our respectability. Whilst the church, and the medical profession, are nobly striving to gain credit and honour for themselves and for their country, the pro-

fession of the law seems to have eaten of the "fat weed," and to have forgotten the great thought of Lord Bacon, "In this world God only, and the angels may be spectators." The lawyers of all other nations are advancing with the learning of the age; surely our country is not so fallen as that the proudest remaining institution of its independence—the bar—can make no stronger effort to prove its vitality and usefulness, than the publication of these useless absurdities or injurious trifles. If, indeed, the compilers could show that the bar considered the trifles either necessary or useful, if they could say, as Catullus to Cornelius Nepos,

"Namque tu solitas,
Meas esse aliquid putare nugas,"

we could understand the principle upon which the parties proceeded; but such is not the case, and print, print, print, in and out of season, seems with them to be the order of the day.

And let us for a minute consider the manner in which the English bar must, of necessity, look upon these literary efforts of the Irish profession. Fancy, reader, Wiggins of the Temple, or Snooks of Lincoln's Inn, asking at Sweet's or Butterworth's, for an Irish book upon the ——— Act of last session. Butterworth says, "Bless my soul, sir, there is no such book." "Oh, yes," replies Wiggins, "I saw it announced, and you must get it for me." Well, the active bookseller dispatches a letter by the next post to Dublin, and gets by return the valuable 2s. 6d. worth, *i. e.* the Act of Parliament, in a shape which transports Wiggins back to the days of his childhood, when he learned to read from a work in shape and size exactly such as the book before him; he almost expects to find inside the portrait of Dr. Dilworth, and pictures of little boys flying kites, dressed (the boys, not the benders) in knee breeches and bob wigs. What does Wiggins say of his purchase? What can he say, but that the legal publications of the Irish bar are a disgrace to the profession, and most perfect proofs of their ignorance, and of the presumption of the body.

We are not passing censure upon the useful little books published by Messrs. Johnson and Blackham. They have performed their task of collecting the cases upon the Process and Practice Act carefully,

and have shown in what respects it differs from the English statute. True, they had little to do but to follow Chitty, yet they gave something more to the public than a pocket edition of an Act of Parliament, bound in stiff paper, and costing three times the price of the statute in the original shape. We have now discharged what is to us a very disagreeable and very unwillingly assumed duty. We have no wish to become the censors of our professional brothers, but we cannot allow the respectability, the dignity, and the good name of that profession to be endangered or lowered; and we honestly think the class of books to which we have in this paper referred, are calculated, not alone to injure the profession, but also to damage, in a most irreparable manner, the future literary efforts of the Irish bar.

We are quite satisfied that this article cannot stem the torrent of legal publications; we know that act after act will be printed and published as original legal works, and of original design; we are convinced that Wiggins and Snooks will go on demanding Irish law books, and at each purchase find themselves, as the popular slang has it, *sold*. However, our duty is now performed, and we wish success to every worthy well-designed Irish law book, and confusion to each catchpenny, worthless, disreputable legal reading-made-easy.

ART. VIII.—IMPERIAL CENTRALIZATION.

THE projected abolition of the Irish Viceroyalty has evoked a spirit of enquiry among our countrymen into the subject of the present article, such as they have seldom before exhibited upon any question. They have awoken, as from a trance, to an apprehension of its evils—they express that apprehension with energy and power—they look beyond the single measure that at first engendered their alarm, into the operation of an artful policy, of which it is but one of the effects; and men among them who have grown grey in the retirement of their homes, without having ventured even once upon the stage of public life, are now loud in their expressions of indignation and reproach, that Irishmen should have so long endured a system,

which, like a vampire, had absorbed the life blood of their country, and should be only roused into resistance on occasions like the present, when threatened with open violence, instead of stealthy peculation. During such a state of public feeling, silence upon this subject would ill become our new Review—and silent we shall not be. We agree with much that has been said by the individuals above referred to. We think that centralization so far as this country is concerned, has already gone too far. We lament that the public eye should have been open to its ravages, only when it advanced with giant strides, and closed when its progress, although slower, was more insidious. But in examining the question, as we now propose to do, we must be allowed to choose a different ground from that taken by our cotemporaries, and instead of making any one instance of centralization a subject for either argument or declamation, however just, to consider as a whole the system out of which those instances have sprung; to enumerate many of them, and to dwell on some, not with reference to their own importance, but solely in illustration of how that system operates; to avoid all observations of a personal, and as many as possible of even a political complexion, and to guard ourselves strictly against pronouncing any judgment upon the expediency or in expediency of altering existing laws, (even though the offspring of the system we complain of,) now that they have been made legitimate by the stamp of time, and form the basis to a superstructure of important interests. Neither will the course we speak of involve the slightest difficulty, for where is the understanding that does not perceive in the Union Act of 1800—that one masterpiece of centralization, which may be well taken to personify the entire catalogue of its details!—two perfectly distinct and independent questions: one, whether that measure ought ever to have passed, and the other, whether it ought to be now repealed, after having received the sanction of fifty years? With the latter of these questions we repeat we have nought to do—with the former we have something, as a portion of a system that has laid waste our country; but before we come to treat, either of it, or of that system, as it has been felt in Ireland, a few observations upon centralization in general, may not be deemed altogether useless.

Let us then suppose the question asked, whether we deem the

centralization of a government's institutions advantageous or not? And we answer, that this must altogether depend on the nature and objects of each particular government. If, indeed, there be one of an essentially despotic character; if it be one, in particular, of a military cast; if it looks round upon its neighbours with an aspect of aggression, and on its own people, with no other object than how to make them, by the quickest process, the tools of its rapacity, or the victims of its rage; if it tries to effect this object by debasing its subjects' minds, and for that purpose has recourse to such expedients of capricious tyranny as the shooting some of them daily, by the royal hand, which a modern despot in the East has been actually known to do; if it never thinks of, and consequently does not cultivate the arts of peace—if public opinion has no weight with it—if it has no ambition, save that of making itself feared by its own people, and detested by the rest of mankind—to such a government we should say confidently, "Centralize as much as possible, for by centralization you will achieve those which are your only objects, plenitude of power, and promptitude in its exercise, perfectly irrespective of your subjects' welfare." In truth, the subjects' welfare never enters with the calculation of such a government, save when it is subsidiary to these two objects, and even then, are their resources most miserably wasted. With it, the prince is everything—the people nothing; and when the President Montesquieu, thus described it, "*Quand les sauvages de la Louisiane veulent avoir du fruit, ils coupent l'arbre au pied et cueillent le fruit. Voilà le Gouvernement Despotique,*"* he might with equal truth have added, that centralization is the axe by which the tree is often felled! But with the reverse of such a government, how can centralization be so consistent? How can it, with one that adopts the words of Grattan, "Let other nations imagine that subjects are made for the monarch; but we conceive, that kings, and parliaments, like kings, are made for the subjects." How can it, with that which was once *de facto*, and is at present, at least *theoretically*, ours? With such a government, the subjects' welfare is the object of its first solicitude. With it, no rule is recognised, save when ancillary to that object. With it, no power is tolerated, that is not necessary

* L'Esprit des Lois, Liv. v. chap. 13.

to secure the same, and which originating from the people, is responsible to them alone, for the execution of those trusts which are submitted to its care. With it, the people and its government are considered but as one community, which, that it may preserve through all its parts, the same consciousness of power and habit of self-guidance, not only wields in its integrity the whole authority of the state, but exercises through all its parts innumerable local powers, which, like citadels of freedom, are distributed throughout its territory. Hence all its corporations, both aggregate and sole; hence, especially, those among them which are called "municipal;" hence local powers of imposing taxes, local privileges, customs, laws, which free nations are wont to cherish, as the *palladia* of their rights, and which are so, because they are barriers against that centralizing policy, which has a tendency to sweep everything into the vortex of imperial sway. We do not say that such a policy should be altogether excluded from a free government—since to a certain extent it must be tolerated—but that, when admitted, it should be confined within very narrow limits, and that, while with despotism the question is, how far it may be extended—with freedom, it should be, how far it may be dispensed with. So far as to its nature when considered in the abstract. Its advancement is at all times a trespass upon civil rights, but sometimes it is made the agent of peculiar mischiefs, suggested either by peculiarities of locality or waywardness of man, which materially aggravate those essentially its own. To a case of this description we now hasten to refer our readers, and ask them, whether they can recognise in the picture we shall draw, any similarity to an original which they have seen? Let them then suppose two countries placed in close vicinity by the hand of nature, but still so far separated, that while each—to use the words of a brilliant orator, "hears the ocean protesting against separation, she hears the sea likewise protesting against union."* Let them suppose these two countries to be, one of a greater, and the other of a lesser magnitude; let them suppose both to be subject to one government; the larger being the seat of the executive power, but both being considered in full possession of the free constitution we have above described, as having a greater tendency to exclude, than to advance

* See Grattan's first speech against the Union.

centralization.* Let them suppose, that to secure that constitution to the smaller nation, it possessed, up to a certain period, a separate legislature and institutions of its own, but that, being gifted beyond its neighbour with a fertile soil, and peopled by a hardy and a warlike race, whose increasing power that neighbour feared, the latter looked with an eye of envy upon that legislature and those institutions, and from time to time, for many ages, in defiance of the constitution which they both enjoyed, used the right of the strong man over the weaker, to impede the action of those institutions, or in other words, to *concentre* them with its own.† Let them suppose, however, that a time arrived, when it became the turn of the smaller nation to use the right of strength, and that the larger, not resisting the demand, the independence of the former was recognised by solemn compact,‡ and

* The rights and liberties possessed by the English people were secured to the Irish by Henry the Second, at the council held at Lismore, in the year 1173, and he subsequently granted to them a "*modus tenendi parliamentum*." It is a curious fact, that the Irish Magna Charta was perfected some years previous to that of England. (See Molyneux's "Case of Ireland stated," &c.)

† See the Act of the 10th of Henry VII., known by the name of "Poyning's Law," which, though passed by a Parliament held at Drogheda, before the then Deputy, Sir Edward Poynings, was altogether his own creation, as the agent of the English government. See also the Act of the 3rd and 4th of Philip and Mary, explanatory of Poyning's Law; the attacks on the final judicature of the Irish House of Lords, by the petition of the Ulster Plantation Society to the English House of Lords, complaining of the interference of the former, in 1698; the case of the Earl and Countess of Meath against the Lord Ward, in 1703; and the appeal of Maurice Annesley in the same year, with what was meant to be the annihilation of Ireland's legislative authority, by the Act of the 6th of George the First.

‡ Our reasons for calling the constitution of 1782, "a compact" between Great Britain and Ireland, are—

I.—The following eight grounds, which we take from Mr. Grattan's speech on the "Declaratory Act," delivered April 16th, 1782:

"First," says he, "a message from the King to the respective Houses of the British Parliament, stating that certain discontents had prevailed in Ireland, and proposing them to their most serious deliberation.

Secondly, the message of the King to the respective Houses of the Irish Parliament, desiring to know the causes of their discontents and jealousies.

Thirdly, the address of the Lords and Commons of Ireland, protesting against the claim of legislative power in the British Parliament, and the act wherein that claim was declared as the principal cause.

Fourthly, a message from His Majesty to the respective Houses of the British Parliament, referring that protest of Ireland to the consideration of the Parliament of England.

Fifthly, a motion in the respective Houses of the British Parliament, refer-

herself secured for the future against all centralising schemes. Let them suppose that after this compact, the rapid uprise of the one to affluence was such as might be expected from her natural capabilities, but that with it advanced the jealousy of the other—that, in fact, to use the words of another eloquent speaker—“The one ran so fast, that the other feared she should be overtaken.”* Let them suppose that the immediate offspring of that increasing jealousy was new attempts by the one against the independence of the other, and new schemes of centralization, notwithstanding the aforesaid compact—that the aforesaid compact itself was basely cancelled within eighteen years after it had been made—

ring that protest to their committees appointed to sit on the affairs of Ireland.

Sixthly, the report of those committees thereupon, that the 6th of George I. ought to be repealed.

Seventhly, the message of His Majesty to the respective Houses of the Irish Parliament, informing you that he had referred your protest to the Parliament of Great Britain.

And, lastly, copies of the English resolutions, that the 6th of George I. should be repealed, laid before you by His Majesty's command.”

II.—The following extract from an answer of the Lord Lieutenant of Ireland to an address of the House of Commons, adopted January 23, 1782:—“To settle the constitution of Ireland upon a secure foundation, and to unite its interests and affections with those of Great Britain, were the principal objects of my administration; and I am happy to learn that you consider those objects as accomplished.” And the following extract from the same Lord Lieutenant's speech to the two Houses, at the close of the session for that year:—“Convince the people in your several districts, as you are yourselves convinced, that every cause of past jealousies and discontent is finally removed; that both countries have pledged their good faith to each other, and that their best security will be an inviolable adherence to that compact.”

III.—The short Act of the 23 Geo. III., chap. 28, expressly passed by the British Parliament, to prevent and remove all doubts which had arisen, or (as the title stated) “might arise,” upon the construction of that compact—of which act the enacting part of the first section is as follows: “That the said right claimed by the people of Ireland, to be bound only by laws enacted by his Majesty, and the Parliament of that kingdom, in all cases whatsoever, and to have all actions and suits at law, or in equity, which may be instituted in that kingdom, decided by his Majesty's courts therein finally, and without appeal from thence, shall be, and it is hereby declared to be established and ascertained for ever, and shall at no time hereafter be questioned or questionable.” This Act contains but one more section, which renounces all right in the British House of Lords to hear appeals from the Irish Courts, and if it be not the conclusion of what may be legitimately called “a compact,” we do not know what is.

* See Mr. Sheil's speech for Mr. John O'Connell, at the Irish State Trials, in 1844. His words are, “Ireland ran so fast that England feared she should be overtaken.”

that a new compact* was then entered into, which, though not cancelled, was not long after grossly violated; and that so little effect had either compact upon the larger nation's sense of justice, that, although at the time of the first, the smaller nation had, within her shores, not only a local legislature, but a perfect local system of governmental institutions, and although, by the terms of the second, she was deprived of her local legislature on the express condition of her remaining institutions being more permanently secured, yet, for fifty years after that second compact, was a continued havoc maintained among those institutions by the larger nation, although the population of the smaller, since the time of the first compact, had nearly tripled in point of numbers.

Let our readers, we say, ponder upon such a case as this; and if, before doing so, they have imagined what are the general effects of centralization under a bad constitution, let them afterwards conceive what are its special effects, despite of a good one, when it receives a momentum from extrinsic causes! and let them lament with us the fatuity of the smaller nation, which could either not perceive, or overlook, the silent process of its own destruction for so

* We call the Union Act (viz. 40 Geo. III. c. 67) "a compact," because of the whole tenor of that document, which evidently contemplated, or rather pretended to contemplate, the continued existence to the Irish people, of all governmental institutions, civil and military, as they existed at the time it passed. The portions of it which might illustrate this real, or simulated, intention, are too numerous for citation here, but there is one of them which, for reasons but too obvious to our Irish readers, we cannot let pass without some notice. We allude to the eighth Article of Union, which treats of the courts of law, and says, "that all laws in force at the time of the Union, and all the courts of civil and ecclesiastical jurisdiction within the respective kingdoms, shall remain as now by law established within the same, subject only to such *alterations and regulations*, from time to time, as circumstances may appear to the Parliament of the United Kingdom to require." Now, "*alterations and regulations of courts*," within the "respective" kingdoms, cannot, by any rule of interpretation, be held to mean, either the extinction of the courts of one kingdom, or the consolidation of those of both; and if not, how can we explain the following extraordinary sentence from the report of Rowland Lascelles, on the public establishments of Ireland, published in 1824, as the title-page says, "*by special command*, pursuant to an address (an. 1810) of the Commons of the United Kingdom." Speaking of the *Law Establishments*, the author says, "Much of this department has been abrogated by Acts of Parliament, and more must and will be so. This and the two preceding departments, (viz. State Offices, &c., and Religion, &c.) *are still too much in the old spirit of a distinct kingdom, and cannot be too soon consolidated with the parent establishment.*"—See *Liber Munerum Publicarum Hiberniæ*.

long a time, and not have unanimously exclaimed against it—once or twice perhaps excepted—until she saw the foe advancing to take from her what remained! Irish readers—for we address you now exclusively and directly—that *“fatuity” has been yours!* You are the inhabitants of that smaller nation with whom compacts have been made, not for the purpose of securing to her anything, but as a screen for future frauds. You are the inhabitants of that smaller nation, who exulted and looked proud at the execution of those compacts; but, after their execution, scarcely bestowed a thought on the enforcement of their provisions. You, in fine, are that silly people who, notwithstanding the stringency of those compacts, framed as they were—at least ostensibly—to stay the progress of centralization with your larger neighbour, England, have still, since the completion of the second (and last) of them, been made the unconscious victims of a centralizing policy, by that same neighbour, immeasurably more extensive than that which aroused your virtue to effect the first. To lay before your eyes—not all—but the principal results of that policy, becomes our melancholy duty, for the remainder of this paper, which in attempting to discharge, we shall commence with the Legislative Union of 1800, the parent of them all, and thence proceed to consider some of the various legislative enactments of a centralizing character, which have passed the Imperial Parliament from that era to the present time. Into the means by which the Union was carried, the nature of this review prevents us from entering, and from an analysis of that measure we are likewise excluded by our limited space; but, considering it solely as an instance—though a monster instance—of centralization, we conceive that we cannot place before our readers, in a more concise point of view, its effects upon this country, than by asking them to imagine in Ireland, before the Union, nearly 200 peers, and 300 members of the House of Commons, with their families and dependants permanently resident; the constant profit thence arising to her artisans and manufacturers, and the encouragement received by her manufacturing population from the fostering presence of her landed gentry; by requesting them to compare this state of things with the almost total absence, after the Union, of those peers, those commoners, that profit, and that encouragement; and then, by referring them to the public ac-

counts of the nation, for a proof of how destructively that absence operated. Such a proof, however, cannot be satisfactory, without our first considering what was the advance of Ireland's prosperity, under her domestic legislature; of which advance no more striking instance can be found, than what Mr. Foster stated of the linen manufacture, in his speech of the 11th of April, 1799:—"How," he asks, "does the linen manufacture of Ireland stand the comparison?"

	YARDS.		VALUE.
Its export was, in 1700,	530,838	...	£22,750.
„ in 1783,	16,089,705	...	£1,069,319.
„ in 1796,	46,705,319	...	£3,113,687.

That is, *eighty-eight times* greater as to quantity, and *one hundred and thirty-seven times* greater as to value in 1796, than in 1700; and thus that manufacture, which is the staple of both kingdoms, and which Mr. Dundas (in Scotland) very properly brought forward to rest his argument on, rose from 1 to 88 in Ireland—in separate and ununited Ireland, under the nurture and protection of Ireland's Parliament—while, during the same period, it rose in united Scotland, without a resident Parliament, from 1 to 23 only." We would, in this quotation, direct our readers' attention, not alone to the general advancement of Irish prosperity under a domestic legislature, but to the special rapidity of that advancement during the short period of that legislature's independence. Of the prosperity of that period, the greatest men in both countries have left us their attestation. Lord Plunket speaking of it, says, "Her (Ireland's) resources, her trade, her manufactures thriving beyond the hope or the example of any other country of her extent—within these few years advancing with a rapidity astonishing even to herself, not complaining of deficiency in these respects, but enjoying and acknowledging her prosperity." In the British Parliament, Mr. Grey said also, that since the abolition of the heritable jurisdictions, the prosperity of Scotland had been considerable, but certainly not so great as that of *Ireland* has been within the same period. And Mr. Jebb (afterwards Judge Jebb) writes as follows upon the same subject: "In the course of fifteen years our agriculture, our commerce, and our manufactures have swelled to an amount that the most sanguine friends of Ireland would not have dared to prognosticate."

The revenues also rose during the same period with astonishing rapidity, as the following table shows:—

YEAR.				GROSS RECT.
1760,	...	...	...	£667,311
1790,	...	...	...	1,633,292
1792,	...	...	...	1,781,698
1793,	...	...	...	1,660,530
1794,	...	...	...	1,609,127
1795,	...	...	...	1,973,181
1796,	...	...	...	2,172,467
1797,	...	...	...	1,988,818
1798,	...	...	...	2,093,352
1799,	...	...	...	2,592,573
1800,	...	...	...	3,445,718

Of which one of the first statistical writers in the empire (Mr. Staunton) remarks, "It appears from this table, which is partly taken from the Sessional Paper, 452, of the year 1828, and partly from the Sessional Report, 212, of the year 1815, that in ten years before the Union the Irish revenue more than doubled, and in forty years the increase was more than five-fold. *In forty years* after the Union there was no considerable augmentation—no augmentation at all, if the ratio of the increase of taxation be considered." Our limits again prevent us from proving by figures this absence of augmentation, but our readers cannot fail to have a clear idea of the general effect of the Union on Ireland's prosperity, from its effect upon her linen trade alone, which we have just shewn to have been so flourishing *before* that measure, but whose advancement *after* it, was reduced as follows:—

YEAR.				YARDS.
1801,	...	...	...	37,911,602
1805,	...	...	...	43,683,533
1809,	...	...	...	37,066,399
1813,	...	...	...	39,023,087
1817,	...	...	...	56,230,575
1821,	...	...	...	49,321,139
1825,	...	...	...	55,114,515

Which table calls forth the following observation from Mr. Staunton: "This, (speaking of the advancement of the trade in question) between the years 1779 and 1787, is more than a twofold increase; and if we compare it with the state of things after the Union, we will find that in twenty-five years the linen trade was not much beyond its condition in 1796;" notwithstanding (we shall add) the population of Ireland had more than doubled during the same period. So much for that *chef d'œuvre* of centralization, called the Legislative Union! Yes, but by the terms of it, the then existing institutions of Ireland were secured to her! We shall see. In the year 1816 was passed an Act of the Imperial Legislature, (56 Geo. III., c. 98,) entitled, "An Act to unite and consolidate into one fund all the public revenues of Great Britain and Ireland, and to provide for the application thereof to the general service of the United Kingdom;" by the operation of which, not only was an immense number of principal and minor officers in Ireland consolidated with those in England, and the expenditure of a large portion of the public monies consequently withdrawn from us, but Ireland was subjected to the monstrous grievance of having to endure taxation, to meet a proportion of two-seventeenths of the common debt of the United Kingdom, while her legitimate proportion ought to be no more than one-tenth. In the year after the last mentioned Act was passed, another (*viz.*, 57 Geo. III., c. 62) entitled, "An Act to enable his Majesty to recompense the service of persons holding, or who have held certain high and efficient civil offices;" under which a number of Irish offices were abolished, and among the rest, the ancient office of "Keeper of the Records in Birmingham Tower," instituted in the reign of Elizabeth, was doomed to abolition on the first vacancy. We make mention of this office, because of the official observations it elicits from Mr. Lascelles, in his Report, who seems to smile, with peculiar complaisance, at every infraction of our national individuality. "It is clear," says he, "that since the Union, all this kind of records, as well as papers and books, of the old Privy Council should, for *more reasons than one*, be kept in the Capital of the United Kingdom, at or near the office of the Secretary for the Irish Department, at Westminster." The next Act to which we shall direct attention, is the 6th of Geo. IV., c. 79,

passed in the year 1825, and entitled, "An Act to provide for the assimilation of the currency, and monies of account, throughout the United Kingdom of Great Britain and Ireland;" by the operation of which few of our readers need be informed, that an immense loss has been entailed upon this country, in consequence of the depreciation of her previous currency, as compared with the new standard. But why wonder at this loss? It is nothing more than is observable on every occasion when Great Britain and Ireland join in a copartnership! These are the *leading* instances of centralization which have occurred since the Union, each one of them a violation of the Union Act itself; and although we might fill pages with the enumeration of *minor* instances, yet, limited as we are in space at present, we must defer that task to another opportunity, and hasten to say a few words on the impending blow of the destroyer—the most daring it has attempted since the Union Act itself. We ask our readers then, is Ireland's Viceroyalty to be abolished? Is the keystone of her nationality (or what remains of her nationality) to be surreptitiously purloined? Is another bar to be imposed to the earnings of her starving artizans, that streets in London may be widened, or its squares look beautiful, or that fountains there may sparkle, midst the hum of busy citizens?* It is true, the Irish court has not been without reproach. It is true, it has engendered much servility and corruption. It is true, it has been often a mart for hollow patriotism, and as frequently a *Siren* isle for capture of the innocent; but these have been the faults, not of the court, but of its abuse; and what sane man would amputate an useful limb, because it contained a bruise which might be cured? The Irish people, at all events, will not consent to that amputation. They admit, and have often deplored, the evils of the Irish court, but, if these evils are to be remedied by a measure, which (to use the words of a speaker, who some years since addressed a public meeting upon the subject) "would withdraw (from them) the

* It is a fact, known upon authority little less than official, that the magic change effected within the last ten years, of a large district of narrow lanes in the vicinity of Charing Cross, into the beautiful opening, now called "Trafalgar Square," with its gardens, its fountains, and its column to the immortal Nelson, has been paid for exclusively out of the "quit and crown rents" of Ireland.

salary of the Lord Lieutenant, £20,000 a year, which is at present spent (or supposed to be spent) in Dublin, the greater part of which, of course, finds its way into the hands of artizans—would withdraw the salary of the Chief Secretary, £5000, which is spent in the same manner—would withdraw the salary of the Under Secretary, £1500 a year, and the pay of an entire host of minor castle officers, amounting to upwards of £70,000, all which sums taken together, amount, according to Mr. Hume's showing, to £100,000; and would also create an additional inducement to the spread of absenteeism, as if that evil were not already sufficiently great; for whatever remains here of our nobility would be then sure to vanish, being detained here at present, I may say, by no other tie than the semblance of a court, which, howsoever constituted, and however manifold its abuses, is assuredly better than no court at all," they deprecate the remedy more than the disease, and choose rather to endure a few petty grievances, than—plundered as they have already been—to allow those grievances to be made a pretext for further spoliation. Therefore it is that they have agitated upon this question. Therefore it is they have opposed it with unprecedented unanimity. Therefore it is that, awakened by it from their torpor of more than half a century, they have extended their views from it to the general policy of centralization; and therefore it is, that notwithstanding the seeming indifference of ministers to their indignation, they are determined, by a steady perseverance in the course they have begun, to prove to the unwilling ears of those ministers how fruitless is opposition to the will of a united people, and how impossible it is, totally to consolidate two countries, which the God of nature, at their formation, intended should be separated, and that

“ — Nequicquam, Deus abscidit,
Prudens, oceano dissociabili,
Terras,”

if Ireland and Britain are to be considered merely as two provinces of one great empire. “It is useless,” said the speaker last referred to, “to argue the self-evident proposition, that Ireland should be treated as an independent nation. We have many arguments to prove it; but

chief among them is, in my mind, that which her formation furnishes, it being no less than the voice of Omnipotence saying, from all creation, to these sister islands, 'Ye shall be joined, but not identified!' "

ETRURIA IN 1814.

WHEN first Tyrrhenus, at his sire's command,
 Leaving for other climes his own lov'd land,
 Unfur'd, with sadden'd heart, his swelling sail,
 Which wooed the favoring, yet unwelcome gale,
 As Lydia's shore receded from his view,
 His soul in sorrow poured its last adieu;
 And far from home, and hearth, and fathers' graves,
 He roamed, an outcast o'er the faithless waves.

* * * * *

Long time he wander'd—nor as yet could find
 One spot like that dear home he left behind;
 But when, at length, he reached Italia's* soil—
 Forgot his wanderings—forgot his toil—
 Joyful he views, in Tiber's golden stream,†
 The dear Pactolus‡ of his every dream;
 And hails, with rapture, Lydia's azure sky,
 In the bright days of sunny Italy.

Such the brief story of Etruria's birth:
 Etruria! land of valour and of worth;
 Etruria! from whose fertile womb have sprung
 Heroes, that o'er Italia's land have flung

* ———— Ubi Lydia quondam
 Gens, bello præclara, jugis nisedit Etruscis.—*Æneid* viii., 479.

† Villaque flavus quam Tiberis lavit.—*Hor.* Od. ii. 3. 18.

‡ ———— Pactolus que irrigat auro.—*Æneid* x., 142.

A crowd of glories; whose still brilliant blaze—
 Piercing, triumphant, through the misty haze
 Of old antiquity—beams brightly on,
 And warms and gladdens all it shines upon.

Yet, think ye not her sons an iron race,
 Whose only joy the battle or the chase;
 Who hailed alone, as music to the ear,
 The twanging bowstring, and the whizzing spear;
 And knew no pastime, save in tented field,
 With glancing javelin, and with rattling shield.
 No—though excelling in each manly art;
 To tame the courser, and to shape the dart—
 The works of war and peace together grew,
 And Nursia* smiled upon her favoured few.
 And when, at length, by Roman power subdued,
 Beneath a foreign yoke Etruria bowed;
 Say, was she not the fairest, brightest gem,
 That sparkled in the victor's diadem?
 And say whence all this regal pomp? Whence springs
 The new-born splendour of her conqueror's kings?
 Whose are those sacred rites, that all around
 With temples mark the consecrated ground?
 Whence those proud warrior-statesmen, whose decree
 Hath traced so oft the path to victory;
 Who shone alike, as saving beacon lights,
 In peace's counsels, or in war's fierce fights?
 Etruria's all.†—Hers too in later age
 The gay deception of the mimic stage;
 And the huge volume of the Roman's fame
 Glitters with many a noble Tuscan name;
 And many a Tuscan hero's life blood, poured
 On battle plain, beneath the hostile sword,
 Swells the full tide of conquest, 'neath whose waves
 Lie buried sceptres; whilst their lords, as slaves,

* Nursia, goddess of the Etrurians.

† See Gray's *Sepulchres of Etruria*, in 1839, page 130 *et seq.*

Trembling in soul, and suppliant in mien,
Grace the proud triumphs of the hill-throned Queen.

Nor were the memories of younger days*
A theme unworthy of the poet's lays;
When science grew 'neath Leo's fostering care;
When music's sweetness fill'd the gladden'd air;
When art, essaying e'en the rugged rock,
Gave life and beauty to the once dull block;
And canvass, by her magic pencil taught,
Told of the noble deeds that erst were wrought;
Mingling with sages, and with sons of arms,
The milder gloriousness of beauty's charms,
Bidding them live for ever—as if they
Had stept from time into eternity.

Bear witness, Florence, ere the ruthless Gaul,
With hand unholy, from each classic hall
In thy fair city, ravish'd all, that rare
And beautiful had dwelt and charmed there.
Bear witness too, Perugia, and ye host
Of sister cities, ere your fame had lost
Its splendour; when towards you, from distant lands,
Poured the earth's treasures; when your conqu'ring bands
Swept o'er the waters; when the swarthy Moor
Shrank crouching back to Afric's arid shore;
And Tuscan might, with patriot flag unfurled,
Bridled the power that trampled half the world.

But now thy sun has set—no parting ray
Illumes the evening of so bright a day;
Thy soul is fled, that warmed with Dante's fire,
Or melted to thy Petrarch's softer lyre;
Gone is thy spirit proud, thy daring high,
The pomp of power, the pride of chivalry.

* (*et seq.*)—Roscoe, Life of Leo X.; Sismondi, Hist. des Repub. Ital. du moyen age. Eustace's Classical Tour through Italy.

Like thee, Etruria, Hellas is no more;
 Gone is her greatness from Rome's haughty shore;
 But long as genius, like a quick'ning soul,
 Sheds through the universe, from pole to pole,
 Its warm vitality, so long shalt thou,
 Like them—with fadeless laurels round thy brow—
 Live in the brightness of thy children's fame,
 And the Earth's nations hail thy honor'd name.

TO THE EDITOR OF THE IRISH QUARTERLY REVIEW.

SIR,—My late, departed (for America) friend, Littleton Coke O'Shaughnessy, was a rising junior, with good prospects. His father had a large bankruptcy connection, and his uncle was law agent to a banking company, doing an extensive and adventurous business in uncertain bills. Poor O'Shaughnessy! I think I see him now. He always wore a white choker in court, and, when doing the Sackville-street *flâneur*, appeared in immaculate kids—not your cleaned Tittlebat Titmouseish ones, with the odour of camphor about them, but Askins' genuine Virgins, at 3s. 9d. After the passing of the Process and Practice Act, we observed that he became pale and sad, and took to reading "Locksley Hall." We were unable to draw from him the cause of his sorrow, but it was generally put down to his having joined in a demurrer erroneously. We were wrong. The Glengall clauses drove him from his country; he is now a wanderer in the land of gin-sling and repudiation. He, before leaving, committed to my care the following lines, and I wish to make them immortal in the pages of "The Irish Quarterly." You will perceive that they bear the impress of the author's love of Alfred Tennyson. Yours,

A MAN IN THE GALLERY.

Four Courts' Library.

FOUR COURTS' HALL.

" This is the truth the poet sings,
That a sorrow's crown of sorrow is remembering happier things."
Locksley Hall.

JUNIORS, leave me here, I pray you, leave me here to pine alone,
Close beside O'Loghlen's statue I will sit and sadly moan;
'Tis the place, and well I know it—dome, and courts, and clock, and
all,

Whilst attorneys rushing by me prove it is the Four Courts' Hall.
Four Courts' Hall, that tow'ring grandly, riseth o'er the city roofs,
Mid a wild and jarring jangle, shouting men and clatt'ring hoofs.
Here about the Hall I've wandered, musing o'er the cases old,
All that Ventris, Viner, Comyn, Saunders, Vesey, East have told.
Many a day at Term's commencing here I've seen the judges come,
Gravely, staidly, slowly musing, whilst the tipstaffs all looked grum;
Many a day I've seen the lawyer, toiling onward like a drudge,
All his goal, the Bench before him—all his prize, the title Judge.
Oh! the weary, weary labour—oh! the bright years cast away!
Can the ermine reached at sixty, bartered joys of youth repay?
Here, in Term, my daily musings used to turn on thoughts of fees,
Now I hoped for declarations, and anon for special pleas;
Here I'd pace the Hall, and smiling, think on bills or notes unpaid,
With a long, long list of actions, all their venues yet unlaid;
Think on all the sad ejectments of that injured, ancient Doe,
Feel my indignation swelling at the deeds of lawless Roe;
Here I've felt the deep elation of a quick and vivid hope,
That the Chancellor might hear me say, The plaintiff's bill I ope;
Here I've seen the kind attorneys, rushing towards me from the
Quay,

With a pile of easy motions, 'gainst the hurried junior day.
Oh! these smiling hours have vanished! Fortune, jilting jade, doth
frown,

So I pace the Hall, but bearing empty bag, and wig, and gown.

Life's a sea, and years are billows, ever changing, rolling by,
 He who'd ride the waves triumphant holds the motto, "NE'ER SAY
 DIE!"

Though I hold it, yet I'm pining, o'er our altered, changed laws,
 And I cry, "Confusion follow fast the blundering Glengall clause!"
 Was it well so close to bind us, was it well so deep to strike,
 That in suits on bills we're useless, and in declarations like?
 Was it well Glengall or Rom'ly here should try his 'prentice hand?—
 But I know I'm raving wildly—this is not the favoured land.
 Here are tried all schemes Utopian, proved in working false or sure—
 So the young and unskilled barber learns his trade upon the poor.
 Here the Court to sell Incumbered Lands, upon the heir doth do
 Justice for the faults his fathers did, before the world he knew.
 What can Irish lawyers hope for, called in days like these, so sad?
 All our posts are for the Saxon. Thinking thus will drive me mad!
 I must fly to homes more distant, in that far-off land away,
 Where the stars and stripes are flaunting, where the nation debts
 don't pay;

Where if you but own a nigger, inch by inch you him may gash;
 Where the lawyer sells his client, if you but stump down the cash;*
 Where amid some ancient forest, dwell Tan Ducker and Jim Crow.
 Four Courts' Hall, may peace be with thee!—Hark! the steam's
 up, and I go!

LITTLETON COKE O'SHAUGHNESSY.

* See Cooper's "Ways of the Hour."

END OF NO. I.

THE
IRISH QUARTERLY REVIEW.

No. II.—JUNE, 1851.

ART. I.—THE CELT AND THE SAXON.

1. *England as she is, Political, Social, and Industrial, in the Middle of the Nineteenth Century.* By William Johnston, Esq., Barrister-at-Law. 2 vols. 8vo. London: John Murray, 1851.
2. *The Saxon in Ireland; or the Rambles of an Englishman in Search of a Settlement in the West of Ireland.* 1 vol. post 8vo. London: John Murray, 1851.

WE were steaming from Bristol to Waterford one day in the past summer, and finding the quarter-deck very dignified, but very stupid, we moved forward amongst the poorer class of passengers, and there, amongst a crowd of soldiers, pig-jobbers, and returned paupers, we soon discovered an humble acquaintance, one Tim Flannery. He was a dealer in pigs, and had been in Bristol for the purpose of disposing of his stock. He told us, that after he had sold all, he resolved to pay a visit to an old friend living in London, and bearing the euphonious cognomen of Corny Shea. "Corny an' I, sir," said he, "wor gorsoons together; an' poor enough we wor faith; but some people's never aisy, an' so Corny wint to London thirty years ago, without as much money in his pocket as id physic a snipe, an' by the fair dint of pushin', and pinchin', an' scrapin', I'm tould he's worth now fifty-thousand pound. He has an iligant house at Bayswather, an' the finest of aitin' an' drinkin'. But, be dad, the money didn't spile his heart any way, for he was very glad entirely to see myself, an' was askin'

affther all the ould people he left at home: but that I may never sin, if he didn't get a quare histry of them; for between the loss of the phayties, an' the cholera, thim that isn't dead, is in the poor-house, an' thim that was able to boult, is in America; an' so poor Corny hard little of thim that he knew wanst. He spakes like an Englishman, an' thinks every thing in England is finer than any thing to be got in any other place." "What makes us rich?" says he—"work, always bein' ready to work, an' never thinkin' of repale, or trash of that kind—but it's not so in Ireland." "Well, sir, I didn't dislike him for thinkin' well of the country that gev him his bread, but, be dad, whin I hard him talkin' about repale an' idleness, says I, why thin Corny Shea, says I, what do you mane by sayin', says I, that we're idle, or not willin' to work?" "Oh!" says he, "I mane, of course, that ye don't work like the people here, an' aren't to be compared to thim at all at all, for studiness—want of studiness is what desthroys ye Irish." "Oh, blood an' ouncres! Corny Shea," says I, "what do you say 'ye Irish' for? Why, man alive, waren't you born an' rared in my own town, alongside of myself, in Chapel-lane?" ~~X~~ Here my poor friend, Flannery, seemed lost in astonishment at Corny Shea's want of nationality, and for some moments appeared unable to relieve his pent-up feelings, except by occasionally exclaiming, in a tone of mingled pity and sarcasm, "'Ye Irish,' says Corny, says he—poor fellow—'Ye Irish,' says Corny, says he—poor fellow."

We have been in some such state of wonder as Tim Flannery, since we read Mr. William Johnston's book, and have been repeating to ourselves, "'Ye Irish,' says Corny, says he—poor fellow," every time we have reflected upon Mr. Johnston's expressions with regard to his poor and suffering fellow-countrymen. However, let us begin at the beginning. Our author is an Irishman, resident in England; he is a barrister, a Quarterly Reviewer, and was, some years ago, we understand, a contributor to the *University Magazine*, for which he wrote the very clever papers entitled, "England as it is." We differ with him widely, very widely indeed, upon some questions, but it would be unfair to deny him the credit which he deserves; and we feel bound to state, that, with the exceptions of his absurd dislike to his countrymen, and an affectation, a most preposterous

affectation, which incites him to refuse the title of king to William the Third, we consider his book a very valuable addition to the class of useful literature to which it belongs. Mr. Johnston is a careful and an able writer, and the two volumes he has just published, are sufficient to gain for him the reputation of being a close, calm observer, and a deep and earnest thinker. He is not one who delights in, what the slangy criticism of the day calls, suggestive writing. He holds certain opinions strongly, because they are the result of honest convictions; he states the reasons which have conduced to form those convictions; and we must admire and respect the justice and moderation with which his views are expressed. His book is not deformed by the fault, so common to all who write upon the social and political condition of England, namely, that of bestowing upon all and every thing, connected with the country and the people, the most unmitigated censure, or most illimited approbation. England, like every other great nation, has its glories and its shames, its great contrasts of virtue and vice; of crimes, that reduce the perpetrator to the condition of a fiend; of virtues, that elevate man, and deify his nature. Class interests and class legislation may drive the masses into error; the want of education may render the people turbulent, and expose them to all the snares of designing rogues, or roguish politicians; but we have ever contended, that England is, morally, neither better nor worse than any other country of equal extent, and containing an equally dense population. That the evils of the country are many and grievous, no reflecting man can deny. Mr. Johnston is fully aware of all, and most powerfully has he shown the danger that lurks in, and may yet spring from, the condition of deep, frightful ignorance in which certain classes of the community are plunged. The virtuous and indignant champion of the poor may cry, that political rights, and all the just demands of the lower classes are withheld; in our minds, it is quite plain, that the mass of the people of England are unfit to possess those rights, or privileges claimed for them by their would-be and interested friends. The man who takes upon himself the task of historian, of England's social and political position in the present age, assumes a high and noble office; but he also exposes himself, his labour, and his motives, to the falsehood, the

misrepresentation, and the abuse of all who may find the fallacy and fiction which support a party exposed; or who may perceive that some men, looking beyond the petty interests and miserable shifts which blind the populace for the hour, can applaud honourable motives and noble designs, though unsuccessful, can censure pretensions, though found in high and imposing positions, and can expose to the wide world's odium and detestation, the men or the faction "who, after floating on the heaven of declamation, fall down, to feed on the offal and garbage of the earth." The historian who does these things cannot escape the slander of the detected knave.

Mr. Johnston does not, indeed, come up to our standard; possibly, if he did, the reader might consider him nothing more than the faultless monster, that the world ne'er saw; but he has gone honestly to work, and if he has not always our approbation for his views, he has ever our respect for his truth and fairness. With regard to the arrangement of the subjects, we might offer some objections, but, at the very out-set, our author disarms critical cavil. In the introduction he states—

"The Essays contained in these volumes had their origin in a design of writing letters to a friend on the Continent, in order to make him acquainted with the present state of England. It is hoped, that a considerable amount of authentic information on subjects of public interest will be found collected in these pages. An index is supplied, in order to facilitate reference to the statistical facts, which have been gleaned from a great mass of public documents. These documents are not difficult of access, but they are so unwieldy as to be troublesome to consult, and often repulsive, from the painful elaboration of their details. It is hoped, that by selecting some parts, and abridging others, of the ponderous books in which public information is officially registered, some service may have been done in the promoting of useful knowledge. The writer is aware that, as essays upon the important subjects of which he has treated, some of his papers must appear meagre, and all of them incomplete. It was not his object, however, to discuss these subjects fully. If he had done so, he must have written a library instead of two volumes. His object was to supply materials for present reflection and future history. For this purpose he has sought the most authentic information he could obtain; and where he has thought it necessary to state his own views, he has refrained from stating them at length.

"For the political tone of the book the writer does not think it necessary to make any apology. Though he does not take what is called the popular

side, he yields to no one in ardent desire to elevate the minds, and to better the condition of the people. His dislike of *liberalism* is founded on his earnest conviction—be that conviction right or wrong—that the doctrines of *liberalism* are directly adverse to the happiness of the great bulk of the population. He is very little disposed to flatter the rich and great of any political party, but he would seek a remedy for existing evils, rather by inducing an earnest and generous sense of duty in every rank of life, than by promoting democratic progress, which throws power and advantage into the hands of the wealthy, the busy, the bold, and the unscrupulous; but leaves the humble, the conscientious, and the sincere, without help, without justice, and without hope."

The reader must, from this sketch; which Mr. Johnston himself has given, perceive, that the work is neither an ordinary hand-book of political economy, nor a specimen of Dionysius Lardnerish science made easy. It is just what Mr. Johnston states it to be, calculated to make the world "acquainted with the present condition of England." The first volume is, in all respects, most excellent. The chapters on "The Theory of Progress," "The Present Condition of the People," "Physical and Moral Constitution of the People," "It's Political Danger," are worthy of attentive study and deep consideration, as any essays upon those subjects we have ever read. Upon the question of tractarianism, of which Mr. Johnston writes very warmly, we are not about to state any peculiar views of our own; and with the author before us, we agree to a certain extent, when he says, one good has resulted from the Oxford movement, namely, that it has served to show who is really of the Church of England, and who of the Church of Rome. He writes—

"Every one, familiar with libraries and the priced catalogues of book-sellers, must be aware how much more extended the study of divinity has become in the last twenty years than it had previously been. The old sterling works that hung heavily on hand have mounted to double the price, and are of comparatively easy sale. True, these books may be bought, in some instances, as many other kind of books are, rather for the sake of possessing them than of studying them; but in the greater number of instances they are bought to be studied, and this appears both in the conversation and the conduct of men of education, whether divinity be or be not the profession to which they have devoted themselves. I have some reason to believe, that even the medical and surgical students of London, of whom by far the greater number, some years ago, knew no more than Falstaff did 'what the inside of a church was made of,' are now found

generally to attend church, because it is a shame for a man of sense and education not to do so.

"And as to preaching, every one will admit that the tone of it is much changed; and certainly much for the better in some respects, though not in all. For the better, as regards more frequent introduction of Church topics, and the greater prominence given to the distinctive articles of Christian creeds, as held and interpreted from the first days. Better also, as having escaped from, and even put to flight, the laboured frigidities of the Blair school, and the whole tribe of 'lean and flashy' compounds of the pompous and the commonplace. The improvement, however, is not without serious drawbacks in respect of dogmatism and mysticism, and perhaps an over-adoption and assertion of High Church views, going beyond the proper *via media* of the English Church."

For our parts, however, we prefer much more to find Mr. Johnston writing upon the social condition of England, than to read his opinions upon conflicting religious dogmas, or clashing political theories. And we prefer these subjects, because we believe that the social interests of the country come home to the heart of every man in the community, who has a thought for the real advantage of the people, whilst, on the other hand, we believe polemical discussions interest very few real Christians, in fact, we have seldom met an ardent lover of controversy who was a true lover of his neighbour. Such persons seem always to forget that the Good Samaritan was not a proselytizer. Mr. Johnston is not a believer in the "progress-of-the-nation" school of faith; he thinks the country might be worse, but he, at the same time, is pretty certain that it might be (and he very warmly hopes it yet may be) a very great deal better. He thinks Mrs. Somerville, though a clever woman, in fact, quite a Madame de Stael, "with the chill on," is rather too rose-waterish in her views of English life; and with the true spirit of a quarterly reviewer, referring to the opinions of an Edinburgh reviewer, he says all kinds of wicked John Wilson-Crokerish things of Macauley. Mr. Johnston writes—

"Every one is ready to admit, that the present century, and especially the last thirty years of it, has been an era of great 'progress;' but much difference of opinion exists as to the nature of that progress. The activity of all classes appears to be accelerated in a prodigious degree, and many writers take it for granted that this activity has been, upon the whole, turned to good account. They contend that the progress of *improvement* has been commensurate with the quickened movement of society. Others

there are, who take a far less favourable view of the remarkable changes in the state of society during the present century. They represent the improvements and advantages as having been confined to the upper and middle classes; to those who are above the condition of the labouring poor. They doubt that 'the masses' have shared in the advantages of progress; or they go even further than that, and assert that the great bulk of the people are in a worse and more dependent condition than they were before the 'improvements' (which are considered to be the glory of the present age) had been heard of. Let us calmly and impartially examine some of the authorities on both sides of this great question."

He continues:

"No doubt, if human life were indeed what is drawn by scientific speculation, and coloured by the pure glow of a female imagination, little more were to be desired. Mrs. Somerville, surrounded by all the elements of scientific research, and in an afflatus of cosmogony and benevolence, predicting universal good, would be more attractive

" 'than Nalad by the side
Of Grecian brook, or lady of the Mere,
Sole sitting by the shores of old Romance.'

But stern reality, alas! disturbs these pleasing visions. We regard with admiring wonder the inventions of science, and our respect for human ingenuity is vastly increased; but when we inquire how far the use of them has benefitted the great mass of the people, we are compelled to dismiss all sense of triumph in their achievements. Mr. M'Culloch, the political economist, who is not likely to be betrayed into any excess by the vivacity of his feelings, or to be carried away by the warmth of his imagination, says, 'It is doubtful whether the condition of the labouring part of the population has not been deteriorated during the last five-and-twenty years; and, at all events, it is but too certain that their comforts and enjoyments have not been increased in anything like the same proportion as those of the classes above them. Inasmuch, however, as the labouring poor constitute the majority of the population, their condition is of the utmost importance, not only in regard to their own well-being, but also in regard to that of the other classes. The poverty and depressed condition of any very large class, especially if it be strongly contrasted with vast wealth, extravagance, and luxury on the part of others, is a most undesirable state of things, and one which can hardly fail to produce discontent, sedition, and disturbance of all kinds.' This was written, or at least published, just before the era of Free Trade. If, then, any one should be disposed to say that the new legislation has altered all this, he must refer, for additional instruction upon the point, to the most conspicuous and strenuous of all the advocates of the new system. The *Times* newspaper says, 'In the midst of the splendour and abundance of this country, there is so appalling an amount of squalor and destitution, that the imagination almost recoils

from conjuring up before it the alternate pictures that would convey a faithful idea of the social condition of one of our great cities. It would be easy to dwell upon the contrasts between the extremes of human fortune presented to the eye of the observer as he passes along the London streets, and yet how faint are its outward signs in comparison with the inward agony of extreme destitution in the midst of civilization.' But are there not houses of refuge for the destitute poor—workhouses, where the wretched can, at all events, have food and shelter in their extremity? No doubt; but these are not the abodes of comfort, but of misery. Much of this is perhaps inevitable, but that alleviation which might be attained by a more careful classification of the inmates is not obtained. All varieties are huddled together, and they who suffer least are the lowest and coarsest, who scarcely have a conception of anything beyond the gratification of their animal wants. Not to refer to the poet Crabbe, lest it should be said he described a bygone state of things, let the same newspaper be again called on to bear witness. 'But there is hardly, on all the earth, a sadder sight than the multitudes of from 300 to 1000 shut up in the workhouses. Broken hearts and fortunes, high spirits still untamed, minds in ruin and decay, good natures corrupted into evil, cheerful souls turned to bitterness, youth just beginning to struggle with the world, and vast masses of childhood are there subjected, not to the educated, the gentle, and the good, but the rude, the rough, the coarse, the ignorant, and narrow-minded. The qualifications for the governor of a workhouse are those we expect in a gaoler, or a policeman, or the keeper of wild beasts. Human nature, if it be ever so fallen, is yet too fine a thing to be bullied into goodness. None can reclaim it, but the good and noble. We want a race of heroes and apostles for the reformation of our paupers, and their conversion into men. With our workhouse staff, such as it is, low, vulgar, and brutal, and with the evil association of the unfortunate with the wicked, and the weak with the audacious, it is impossible but that the miserable inmates should be more and more depraved, embittered, and exasperated—witness the unintermitted current of misery to the county gaol, which is fast sinking into the punishments ward of the union workhouse.'"

We certainly do not, and cannot, agree with our author in his view of England's social and political progress or retrogression. For our part, we believe that the country—England—has advanced in improvement as much as could, from any state in her position, be possibly or reasonably expected. She cannot fairly be compared with a new and young nation, such as America, boundless in its extent of territory, and teeming with all the lavish wealth of nature; but should even this comparison be made, we are convinced its result will not be found at all injurious to the fame of England;

and certainly of no other country, save that of her own sons, the Pilgrim Fathers', adoption, need she feel in the slightest degree envious. We cannot, we freely confess, discover the grounds upon which Mr. Johnston rests his views, as to the want of satisfactory evidence of England's progress and improvement. It cannot be that, Mr. Johnston expects, or believes, in the possibility of finding in any country, such as England, a people so entirely blessed, as that amongst them shall be found—no misery, no vice, no hunger, no crime. Where, from the creation of the world to the present moment, has heaven looked upon so glorious a nation? Is it not the lot of humanity that, through all the ages of time, there shall be great contrasts of poverty and riches? Dives looking coldly on the wants of Lazarus. Is not all human improvement progressive, and slowly so? And can Mr. Johnston, quarterly reviewer though he may be, deny fairly that England has, within the last fifty years, made great and noble advances in social and political improvement. True, there are scenes of misery and vice to be witnessed in England, at which angels might weep, and devils tremble with horror; but of society at large, a great authority writes:—

“In the division among the people of the produce of the national industry, a great amount of inequality is, no doubt, observable—an amount greater, perhaps, than is consistent with the degree of perfection to which human institutions may at some time be brought; but there is reason to believe that, great as this inequality now is, it was in former times much greater; and that hereafter, when the accumulation of capital will probably, still further than at present, exceed the increase of population, the division must necessarily become more equal: the rich and powerful will in such case still have made additions to the sum of their enjoyments, but the labourers will have added in a still greater degree to their means of comfortable subsistence. Whether in any country, and at any given time, the accumulation of capital proceeds in a quicker ratio than the increase of population, is a question hardly capable of being decided by direct proof. It has been argued by high authorities, that there is, under all circumstances, a tendency in population to press upon the means of subsistence. If, however, we look back to the condition of the mass of the people as it existed in this country, even so recently as the beginning of the present century, and then look around us at the indications of greater comfort and respectability that meets us on every side, it is hardly possible to doubt that here in England, at least, the elements of social improvement have

been successfully at work; and that they have been, and are, producing an increased amount of comfort to the great bulk of the people. This improvement is by no means confined to those who are called, by a somewhat arbitrary distinction, the working classes, but is enjoyed in some degree or other by tradesmen, shopkeepers, and farmers—in short, by every class of men, whose personal and family comforts admitted of material increase. Higher in the scale of society, the same cause has been productive of increase of luxury, of increased encouragement to science, literature, and the fine arts, and of additions to the elegancies of life, the indulgencies in which has acted upon the condition of the less-favoured classes, directly by means of the additional employment it has caused, and indirectly also by reason of the general refinement of manners which has thus been brought about.*

These are the words of one of England's ablest men. Let the reader judge between him and Mr. Johnston. Upon the subject of Free Trade, the returns before us are such as no real lover of Irish prosperity can welcome. Our people were cajoled and deceived by specious promises, and cooked statistics, or Anti-Corn Law League theories—the very romances of political economy. Paddy having lost the staple crop upon which he had vegetated from year to year, was glad to back any plan by which he was promised food to sustain life; but he finds too late that a big loaf is only to be obtained with money, and that as the same big loaf, about which he shouted at the elections, is made with flour, the free importation of which has thrown his own produce out of the market, he finds it more difficult than ever to obtain a living, and can only hope, when the potatoes shall again come round, that he may be able, substituting a big loaf of foreign flour for the pristine herring or bacon, to play over again the old game of potatoes and point. Poor Paddy shouted and applauded, toasted Richard Cobden, and drab John Bright, of the sleek, oily cheek, Paddy voted for the Free Trade candidates, and called his Protectionist neighbour an oppressor of the poor.

Well, the measure was carried; Muntz's beard curled with delight; all the hammers in Birmingham clanged "quankadillo," like the forges of the "Harmonious Blacksmiths;" all the "devil's dust" in Manchester was blown hither and thither, like the wild simoon of

* Porter's Progress of the Nation, p. 521. London: Murray, 1851.

the desert; Bright and Cobden triumphed in the success of their selfish party aims; and having used Paddy—having got from him all the value of his vote—now show their gratitude by the foulest slanders, and are willing to sacrifice him, and his interests, to the Minister, at the first favourable opportunity.

Of the manner in which Free Trade was carried, Mr. Johnston writes:—

“Thus was the cause of protection lost. Of those who had been elected to defend it 112 were induced, by the example and leadership of Sir Robert Peel, to go over to the ranks of its enemies. There can be little question that, had Sir Robert Peel felt himself bound to abandon office at the time, that he felt himself obliged to abandon the defence of the Corn Laws, no such wholesale desertion on the part of Conservative members would have taken place. Lord John Russell was obliged to relinquish *his* attempt to form a Corn-Law-repealing government in December, because he found that of the Conservative members who had previously opposed the Free Trade policy, *he* could not count upon the support of even so many as 20. The question has been much debated whether Sir Robert Peel, after Lord John Russell's failure to form a government in December, calculated upon being able to maintain his position as Prime Minister, notwithstanding the repeal of the Corn Laws. In the succeeding month of June, after he was defeated in the House of Commons on another question, and compelled to resign, he stated that from the beginning of the session he foresaw and expected that result. It is however probable, looking at all the evidence, that, in the statement referred to, he confused after impressions with previous anticipations. At all events there is no reason to believe that either his colleagues or supporters had supposed that the very extraordinary change of opinion and of policy at which they had so conscientiously arrived would conduct them, within a few short months, to the bleak and barren shore of unplaced Conservative “liberalism,” there to pass listless days and nights, without either the excitement of opposition, or the more substantial gratification of official reward. It was their belief, that after the bitterness of death, as regarded the Protectionist system, was over, old interests and old habits would bring things back to their accustomed channel; that Tories would be reluctant to enter into a systematic opposition of the Queen's Government, and that liberal Conservatism would continue to hold place, while the Whig party would be left upon the Opposition benches, to ruminate upon the adverse fate which kept them out of office, notwithstanding the adoption of their policy by the country and by the State.

“The disgust and resentment of the Protectionists, however, were more general, as well as deeper and more lasting, than they who surrounded Sir Robert Peel had calculated upon. If, under ordinary circumstances, those feelings might have died away, they were sure not to do so, when the emer-

agency of the case called from other pursuits to the head of the party in the House of Commons, a man of such lofty spirit, and such indomitable energy as Lord George Bentinck. There can be no doubt that an opportunity was anxiously sought by the Protectionists to transfer the government from Sir Robert Peel to Lord John Russell; upon the principle that public affairs would be conducted in a more honest and intelligible manner than it then was, if Whig policy, such as the Government had adopted, were under the direction of a Whig, with the constitutional control of frank Toryism in opposition. Along with this, there was the animating spirit of vengeance. The Protectionists felt they had been betrayed, and longed to punish the Minister whom they believed to be their betrayer. They had to wait for their opportunity till June. Early in the session the Government had introduced a severe measure for the protection of life in Ireland; but the Minister, after the first reading, held it back as if with a presentiment that it contained the materials of his overthrow. The blow was struck on the 25th of June, when the Protectionists, joining the Whig Opposition against the Bill, placed the Peel ministry in a minority of 73. The muster of members was not very great, the number of voters being only 511. The Ministry had 219 votes—the combined opposition 292. Sir Robert Peel announced his resignation on the 29th in a speech which was no doubt the sorest, and probably the most incautious speech he ever made. So long as he is remembered, that speech will rise up in judgment against him. To compliment the turbulent enemy of the landed interest, and to give the darkest colour of sordid malignity to the policy of which he had himself been so long the champion, were the tasks to which on that wretched occasion he devoted his declamatory powers. That was the speech in which he condescended to eulogise ‘Richard Cobden’ by name, as the man to whose convincing arguments and unadorned eloquence the country was indebted for the great advantage of the repeal of the Corn Laws, forgetting however to acknowledge how insensible he had himself been, up to the very last moment, both to the force of those arguments and the fascination of that eloquence. That was the speech in which he said that he would doubtless ‘leave a name to be execrated by every *monopolist* who desired to maintain protection for his own individual benefit; but to be remembered also with expressions of good-will in the abodes of men who earn their daily bread by the sweat of their brow, when they shall recruit their strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice.’ It does not appear to have occurred to Sir Robert Peel, that, if the Corn Laws did really ‘leaven’ the bread of the poor ‘with a sense of injustice,’ he himself had been for a long series of years the leading perpetrator of that injustice, and therefore some apology was due from him to the poor, upon whose good-will he now so readily calculated. He should have recollected that he had tauntingly asked but a few years before, ‘who had been more forward than he had been in defence of the Corn Laws, and who could doubt that his

desire was to maintain a *just* and adequate agricultural protection? Why did he maintain injustice, and say that it was just? Or, if he had only arrived at his new lights upon the subject within a few weeks, why did he not express contrition for his long continued error, and why did he not refrain from reproachful allusion to those who still continued to hold opinions which he had so long considered and maintained to be just? How shall this be explained but by that 'strange infirmity of character which made the whole life of Sir Robert Peel a series of inconsistencies, and has led him to disclaim, repudiate, and forfeit, one after another, almost every opinion, principle, and pledge that he had ever adopted.'"

There is one particular part of Mr. Johnston's book to which we must refer. It is that in which he writes of the National Debt. On this subject he takes a fling at poor honest Mr. M'Culloch, because the latter ventures to call William the Third, King William, or, as Mr. Johnston has it, "follows the ordinary pleasantry of calling Prince William "our great deliverer." For our part we could well understand an erratic genius—such as Carlyle—taking a fancy of this kind, just because it is unlike everybody else. Tom would, no doubt, if he thought fit, call William the Third, or Alexander the Great, or John Wilson Croker, "a solemn sham;" and assert that King René d'Anjou was superior to Alexander, and Reynolds, the "Mysteries of London" man, a better writer than the Jupiter Tonans of the *Quarterly*. But we cannot understand the mind of the man—a lawyer, or, at least, a barrister, too—who calls King William "a Dutch Prince," and "William the Stadholder." We care not one pin's head for all the nonsense talked about the Boyne; and we know, too, that a man may feel sore at recollecting how William, in thirteen years, increased the National Debt to £16,394,702—it having been at his accession only £664,000; but, surely, any sum was well expended in driving the idiotic pious fool, James, from the kingdom he misruled, and the people he deceived. Would not the overthrown absurdity of a Divine Right—the confirmation of the great fact, that from the nation all kingly power comes—and the promulgation of the great truths of THE BILL OF RIGHTS, form a just set-off against the purchase of half a world? We are unable, entirely unable, to fathom the motives which have induced Mr. Johnston, to display the absurd specimens of affectation to which we refer.

There never sat Stuart on the throne of England who was not a bold and daring oppressor—a base and heartless sensualist—a cold and feelingless ingrate—or a cowardly, false-hearted traitor to his people. We know not whether Mr. Johnston may respect the last Stuart king, but we do know that, of late, it has been the fashion to express a maudlin sympathy for James the Second. We censure no man's prejudices or feelings, but we do not understand how it can be said that any hope could be entertained of amendment in the conduct of an English king who forgot his oath to his people—who disgraced his country, and became a beggar to its enemy, the French Sardinapalus. Surely the man selected by the nation to deliver it from a king like James, is worthy of some better title than that of a Dutch Prince, and should not be sneered at when called our "Deliverer." A great historian has written of him—

"The desire of rule in William III. was as magnanimous and public-spirited as ambition can ever be in a human bosom. It was the consciousness not only of having devoted himself to a great cause, the security of Europe, and especially of Great Britain and Holland, against increasing aggression, but of resources in his own firmness and sagacity, which no other person possessed. A commanding force, a copious revenue, supreme authority in councils, were not sought, as by the crowd of kings, for the enjoyment of selfish vanity and covetousness, but as the only sure instruments of success in his high calling, in the race of heroic enterprise which Providence had appointed for the elect champion of civil and religious liberty."*

And another great historian, though perhaps hateful to his old enemy, John Wilson Croker, and therefore, not agreeable to Mr. Johnstone, writes of William—

"That example of intolerance, indeed, which some of his predecessors had set, he never imitated. For all persecution he felt a fixed aversion, which he avowed, not only where the avowal was obviously politic, but on occasions where it seemed that his interest would have been promoted by dissimulation or by silence."

"At eighteen he sate among the fathers of the Commonwealth, grave, discreet, and judicious as the oldest among them; at twenty-one, in a day of gloom and terror, he was placed at the head of the administration; at twenty-three he was renowned throughout Europe as a soldier and a politician. He had put domestic factions under his feet; he was the soul of a

* Hallam's Constitutional History, vol. ii., p. 466., ed. 1827.

mighty coalition ; and he had contended with honour in the field against some of the greatest generals of the day.”*

Thus write two great thinkers, of the “Dutch Prince;” and to those who regard the revolution of 1688 as a great and advantageous measure to England and to the world, such praise as Hallam and Macaulay give to the character of William III. makes ample amends for all the censure of Mr. Johnston, though all the clever staff of the *Quarterly* should join him, and sneer in sarcastic unison.†

We have, except in this last particular, expressed our warm approbation of most of the views and sentiments propounded by Mr. Johnston in these two volumes; but there is one subject upon which he has written in so cruel and false a strain, that we cannot trust ourselves to express our opinion upon it. In commenting on the condition of the Liverpool poor, the following passage appears :—

“It is to be remarked, that here, as in Manchester also, the lowest of the low in the scale of human existence are Irish. *There is no conceivable depth of debasement to which this people does not sink with a most fatal facility.* Easily excited into a temporary and frantic exertion for any imaginary good, *they seem incapable of, or fatally indisposed to, any sober, continuous struggle for that just and reasonable position in society to which the honest and diligent labourer is entitled.*”

The reader must bear in mind that the penner of these lines is an Irishman; and yet we cannot feel much astonishment at the fact, for, alas! so it ever is—in all the phases of political or public life, we find the foulest, falsest, basest slander—the blackest, meanest calumny upon Ireland, uttered by the recreant Irishman. “*Inglese Italianato è un diavolo incarnato,*” says the Italian proverb; and, for

* Macaulay’s History of England, vol ii., p. 165.

† We do not think that the penal laws against the Roman Catholics can be considered as the laws of William. We believe them to have sprung from the Parliament, a Parliament fancying that by persecution alone the unfortunate people whose religion James had tried to introduce could be crushed. The Catholic religion was, in the age before, considered, not as a religion, but rather as a political creed, held by a class whose politics, rather than whose faith, were disliked. In fact, the age was one in which religion and party feeling were synonymes. The Parliament hated the Catholics; they hated the Arians; they hated the Socinians; and to expect that William, a king just placed upon the throne, could or would run counter to his Parliament, and expose himself to the imputation of being, like his predecessor, anxious to act against the wishes of the nation, is to expect from a human being an amount of conventional high-mindedness never yet witnessed.

our parts, we believe that the Anglicised Irishman entertains, whether from interest or deadness of soul, a deeper contempt for the land that gave him birth than the most ignorant or bigoted Englishman, from Chester to the Land's End. The English people cannot—nay, we know they do not—require this pandering to national pride; and it is pitiable, most pitiable, to find a man of learning and genius like Mr. Johnston, sink to this wretched style of misrepresentation. But he is a *Quarterly Reviewer*, and, by contact with its old champion, a renegade Irishman, he has contracted a morbid hatred of everything connected with this country—a raging, rabid John-Wilson-Croker-aphobia. Mr. William Johnston, barrister-at-law, and Corny Shea, pig merchant, are of exactly the same mind. The one calls us “Ye Irish;” the other writes that we are “the lowest of the low in the scale of human existence,” and that “there is no conceivable depth of debasement to which THIS PEOPLE does not sink with a most fatal facility.” Now, reader, are we right? What difference is there between William Johnston and Corny Shea? We, at least, can perceive none, and relieve our feelings, like Tim Flannery, by exclaiming, with indignant astonishment, “‘Ye Irish!’ says Corny, says he, poor fellow.”

But is Mr. Johnston right in the charge made against his countrymen? Are our poor people in England—the class to which he refers—“the lowest of the low in the scale of human existence?” Is it a fact that “there is no conceivable depth of debasement to which THIS PEOPLE does not sink with a most fatal facility?” Is it correct and true to say, “they seem incapable of, or fatally indisposed to, any sober, continuous struggle for that just and reasonable position in society to which the honest and diligent labourer is entitled?” Henry Mayhew, in writing of the *Irish* Coster-mongers (the street sellers of vegetables, &c.), in London, states—

“The women present two characteristics which distinguish them from the *London* coster-women generally—they are chaste, and, unlike the “coster-girls,” very seldom form any connection without the sanction of the marriage ceremony. They are, moreover, attentive to religious observances.”*

* “London Labour and the London Poor.” By Henry Mayhew. 65, Fleet-street, London. 1851. Part II. p. 104.

"The religious fervour of the people whom I saw was intense. At one house that I entered, the woman set me marvelling at the strength of her zeal, by showing me how she contrived to have in her sitting room a sanctuary to pray before every night and morning, and even in the day, 'when she felt weary and lonesome.' The room was rudely enough furnished, and the only decent table was covered with a new piece of varnished cloth; still, before a rude print of our Saviour, there were placed two old plated candlesticks, pink with the copper shining through; and here it was that she told her beads. In her bed-room, too, was a coloured engraving of 'the Blessed Lady,' which she never passed without curtsying to.

"Of course I detail these matters as mere facts, without desiring to offer any opinion here either as to the benefit or otherwise of the creed in question. As I had shown how *English costermongers neither had nor knew any religion whatever*, it became my duty to give the reader a view of the religion of the Irish street sellers."*

And Mr. Mayhew writes of the *English* coster-mongers—

"Not three in one hundred coster-mongers have ever been in the interior of a church."

"The coster-mongers have no religion at all, and very little notion, or none at all, of what religion or a future state is."†

"Only one-tenth—at the outside one-tenth—of the couples living together, and carrying on the costermongering trade, are married. There is no honour attached to the marriage state.‡

"Of the operatives in Lancashire, and of the workmen in our great manufacturing towns, there is not (and I speak after considerable experience and numerous inquiries) one out of every ten who ever enters a church, and still fewer who attend regularly."§

"The Irish fathers and mothers do not allow their daughters, even when they possess the means, to resort to the 'penny gaffs,' or the 'twopenny hops,' unaccompanied by them."||

"The better class of Irish lodging-houses almost startle one by the comfort and cleanliness of the rooms. One in particular that I visited had the floor clean, and sprinkled with red sand, whilst the windows were sound, bright, and transparent; the hobs of the large fire-place were piled up with bright tin pots, and the chimney-piece was white and red with the china images ranged upon it'¶

At page 110, Mr. Mayhew describes the lodgings of the *Irish* in other parts of London as being equally clean and orderly. He

* Mayhew, p. 108.

† Ibid. p. 21.

‡ Ibid. 20.

§ "The Social Condition and Education of the People of England and Europe. By Joseph Kay, M. A. 2 vols. Murray, London. 1850. Vol. 1, p. 416.

|| Mayhew, p. 109.

¶ Ibid. p. 111.

states, that the men will perform the severest bodily labour, undertaking tasks that the English are almost unfitted for.

The following extract will show how the poor Irish can master a strong passion, and how their continuance in virtue is sure and safe:—

“In the year 1838, the quantity of spirits distilled in Ireland was 12,296,342 gallons, producing a duty of £1,434,573. In the year 1840, after Father Mathew had commenced his work of God-like charity, the number of gallons distilled sunk to 7,401,051 gallons, the duty being only £936,125. In the year 1849, the quantity distilled was 6,973,333 gallons.”*

What a contrast to Scotland! we find that Mr. Allison who was examined before a Committee on Combinations of Workmen in 1838, speaking of Glasgow, says—“Every tenth house in Glasgow is a spirit shop; the quantity of spirits drunk in Glasgow is twice or thrice as much as in any similar population upon the face of the globe. The population of Glasgow was then 257,000; of these, Mr. Allison says—80,000 have hardly any religious or moral education at all.”

And Mr. Mayhew states:—

“The *Irish* street folks are, generally speaking, a far more provident body of people than the English street sellers. To save, the *Irish* will often sacrifice what many Englishmen consider a necessary, and undergo many a hardship. Some of the objects, however, for which these struggling men save money are of the most praiseworthy character; they will treasure up halfpenny after halfpenny, and continue to do so for years, in order to send money to enable their wives and children, and even their brothers and sisters, when in the depth of distress in Ireland, to take shipping for England; they will save to be able to remit money for the relief of their aged parents in Ireland; they will save to defray the expense of their marriage, an expense the English costermongers so frequently dispense with.”†

And from what sum does the reader suppose these savings are made? From earnings varying from five to ten shillings per week.

The above cited experiences do not show the Irish poor in England as sunk in the “depth of debasement; but we are about to exhibit a “depth of debasement” to which they do not sink, and to which, God Almighty forbid, they shall ever fall:—

* Porter's Progress of the Nation, p. 557. London: Murray, 1851.

† Mayhew, p. 115.

"There can be no doubt that a greater part of the poorer classes of this country are in such a frightful depth of hopelessness, misery, and utter moral degradation, that even mothers forget their affection for their helpless little offspring, and kill them, as a butcher does his lambs, in order to make money by the murder, and therewith to lessen their pauperism and misery."*

So writes an English barrister of England; and the reader will, we think, consider that the following proofs are quite sufficient to justify the horrible truth of his statement. He writes of the Burial Societies:—

"The officers of burial societies in the manufacturing districts express 'their moral conviction of the operation of such bounties—the burial money—to produce instances of visible neglect of children, of which they are witness.' They often say—'You are not treating that child properly; it will not live: *is it in the club?*' The answer corresponds with the impression produced by the sight.† The children *who are boys*, and, therefore, likely to be useful to the parents, are not poisoned.‡ A woman, named Mary May, came to live in the parish of Wick; her child, Eliza, ten years old, died suddenly. The vicar found that *fourteen of her children had died suddenly*. She was proved to have poisoned Eliza and was hanged; she would make no confession, but said—'If I was to tell all I know I would give the hangman work for the next twelve months.' When a child is sick, the neighbours say—'Oh! *depend on it*, the child *won't live—it's in the burial club*;' or, 'You should not do so and so; you *should not treat it in that way: is it in the burial club?*'§ It is usual to enter a child in as many clubs as possible. One man entered his child in ten clubs, and received £20; it died before it was eighteen months old. He entered a second child—it died; but the coroner's jury could not agree on the verdict. This man had six children, none of whom lived to be eighteen months old.|| *Hired nurses speculate on the lives of infants committed to their care by entering them in burial clubs.* A collector of rent for small cottages is told often, that he cannot be paid *now*; but when a certain member of the family, generally a child, died he would be paid. A lady required a wet nurse, and the nurse's child being ill, the lady wished to send her own doctor. 'Oh, never mind, ma'am: it's in the burial club,' was the mother's reply."

* Kay, vol. 1, p. 447.

† Mr. Chadwick's Sanitary Inquiry Report, 1843, p. 64.

‡ Ibid.

§ Letter on Labour and the Poor in the Rural Districts, published in the *Morning Chronicle*.

|| Chadwick's Report.

And Mr. Johnston himself quotes a passage from the Report for 1848, presented by the Registrar-General to Parliament as follows:—

“How pitiful is the condition of many thousands of children born in this world! Here, in the most advanced nation of Europe—in one of the largest towns in England—in the midst of a population unmatched for its energy, industry, manufacturing skill—in Manchester, the centre of a victorious agitation for commercial freedom—aspiring to literary culture—where Perceval wrote, and Dalton lived—13,362 children perished in seven years, over and above the mortality natural to mankind. These little children, brought up in unclean dwellings, and impure streets, were left alone long days by their mothers to breathe the subtle sickly vapours—soothed by opium, a more ‘cursed’ distillation than ‘hebenon’—and when assailed by mortal diseases, their stomachs torn, their bodies convulsed, their brains bewildered, left to die without medical aid, which, like hope, should ‘come to all’—the skilled medical man never being called in at all, or only summoned to witness the death, and sanction the funeral.”

We will not here cite the proofs of the frightful condition of the female population in Wales, and in the rural districts. The facts, the dreadful facts, given by Mr. Kay, in the first volume of this very able work, show a state of hellish demoralization, at which ordinary vice might shudder. Woman is represented to lose all that makes the glory of her nature—delicacy, purity, womanly feeling; all, all, are in effect forgotten, or entirely unknown; and, worse than than all, this state is not looked upon as infamous.

We have not written thus for the purpose of decrying the virtues and the goodness of the English people, as a nation. We know they are wise, and pious, and moral; we know that from the highest class to the lowest, deeds are every day done by the English people, that are bright in the eyes of heaven, and that raise up and deify our fallen nature. Of the glory of England, and of her sons, the best friends of good government, in all lands but Ireland, we are proud: that the strength, the power, the riches of her people may never be overshadowed, is our honest prayer: our warmest wish is, that Englishmen may never disgrace, by life or conduct, the land that calls them sons. But we have given the above black records of vice and crime, because we believe, with John Milton, that though “truth is rarely born but like a

bastard, to the shame of him who begets it," yet, as he states, it in time will right its father; so we cited the above cases, not to prove that if Irish morals are bad, English morality is still worse. This is not our intention: the world knows that foul and bloody crimes disgrace our country; but we do not think that our poor people, either at home or in England, are "the lowest of the low in the scale of human existence; and we are quite sure there are "conceivable depths of debasement to which they cannot sink." Great crimes, and great virtues, distinguish England—political, social, and industrial; and so great are her virtues, that they outweigh her crimes, and render her as she is, and as we hope she may long continue—THE GLORY OF THE WORLD.*

We have felt considerable pain in writing the above-quoted shocking facts; but as our poor countrymen were maligned, we thought it right to disprove the false statements; and we deemed it unfitting that a work like ours, bearing in its title the word IRISH, and numbering amongst its contributors men whose sole anxiety in politics is to serve their country, should suffer so grave a slander as that written by Mr. Johnston to pass unrefuted. We may have devoted too great a space to the subject; but as *Quarterlies*, and *Blackwoods*, and *Frazers* have for years been calumniating our people, we thought it only just to give our help in repelling these attacks. This must be our excuse, if excuse be deemed necessary; it is, at all events, our explanation.

We do not think that Mr. Johnston is willing to grant the present age the merit it deserves. It is quite true that some phases of life may not be, and very possibly are not, as perfect as could be wished; but to expect this perfection in any country, and particularly in such a country as England, is in our minds an absurdity. If civil liberty were less, and governmental power more, perhaps the surface of social life might have the semblance of greater virtue; but liberty, human liberty, is a very tender thing; and until we can sublimatize man's nature, freedom of thought and action will, of neces-

* We strongly recommend Mr. Henry Mayhew's serial, "London Labour, and the London Poor," to all our readers who feel any interest in that most important subject—the condition, social and moral, of the industrious, but very ignorant, labouring poor. Five monthly parts are now (May) out; they cost 9d. each.

sity, run to seed, and with the mass beget licence. If this licence be checked, the probability will be, that civil liberty is infringed, and that virtue and morality, the only sure guards of which are religion and education, become things of name, and are unscrupulously infringed in private. In what age may it be said, in the words of Tacitus, "*Rara temporum felicitate, ubi sentire quæ velis et quæ sentias dicere licet?*" A golden one it will be indeed, but never to be, we fear, witnessed by man; for we have no belief in any thing like the perfection of human nature.

We have given the reader a sketch of the tone and style of Mr. Johnston's work. We have shown how the Celt writes of the Saxon; we are now about to prove how the Saxon can write of the Celt. "The Saxon in Ireland" is not an ordinary book, nor is it one of the common tourist in Ireland pieces of ignorant absurdity, with which we have, from time to time, been inundated. From the period when the knights of, we believe, Richard the Second, pulled the beards of the Irish chiefs, and "chaffed" the loyal kerns who waited on the king, to the advent of Mr. Thackeray, who discovered that the aristocracy of Dublin is an aristocracy of brass plates, and that the broken windows of the villas on the Kingstown road are repaired with old flannel petticoats, English tourists in Ireland have poked fun at us, like the knights of King Richard—or misrepresented us as Mr. Thackeray—or expressed a pitying anxiety, a gentle compassion for us, as if we were Hottentots or Bosjesmans—or lamented over our idolatry, and ignorance, and dirt. Grave, oily gentlemen in white cravats, and above the vanity of shirt collars, and with, as Roger North would say, "an amiable gravity of manner, and countenance always florid," have recommended that our civilization should be attempted by means of those inestimable tracts, "Crumbs of Comfort for Chickens of Grace," and our religious habits and physical condition, purified and cleansed, by the potent agency of scriptural and pictorial moral pocket-handkerchiefs. However, our "Saxon in Ireland" is not of this class; he dedicates his work to the Earl of Devon, "whose great practical knowledge, extensive influence, and untiring energies, have ever been devoted to the best interest of Ireland;" and his Preface states, that—

"The design of the work is, to direct the attention of persons looking out either for investments or for new settlements, to the vast capabilities

of the sister island, and to induce such to visit it and to judge for themselves. Were the unfortunate prejudices against Ireland, founded as they are, for the most part, in ignorance, once removed, men would surely pause ere they crossed the broad Atlantic in search of a new field for the employment of capital, or the profitable exercise of their intelligence and industry."

Bravo, Saxon! you are the man for us. Come yourself—indeed you are here already—but get your countrymen to come by scores, there is room enough for all: waste lands to be rendered fertile—mountains to be tilled—marshes to be drained—fisheries to be cared: all these, Saxon, are ours; they are all open to you, and mineral wealth, too, such as California never can know. Stand, Saxon, upon the side of Corannalinna; look around upon the glorious panorama of lake and mountain, of plain and river, of bright sky and fathomless deep blue ocean. Stand upon the summit of Slieve-na-Mon, and gaze down upon the broad bosoms of three fair counties—Waterford, Tipperary, and Kilkenny; mark the Suir—Spencer's "Shure"—

"The gentle Shure, that, making way
By sweet Clonmell, adornes rich Waterford."

See it winding like a silver serpent, away and away, till lost amongst the ships of Waterford. There, Saxon, there before you, in these fair counties, that, as you call it, "merciful measure," the Incumbered Estates Act, has been at work; and farms, large and small—estates, moderate and princely, can be obtained by your fellow-Saxons, who "will pause before they cross the broad Atlantic in search of a new field for the employment of capital, or the profitable exercise of their intelligence and industry." Aye, Saxon, the old proprietors have passed; their sons may wear out life in the forests of the far west; or their shouts may be the loudest, and their feet the first upon the breach in every battle field of the world—they have passed away for ever; and your people, the pioneers of civilization, will, if they be wise, leave Port Natal to its fate; let those who will, take care of Adelaide; but here in Ireland is the surest return to be found for capital judiciously expended. Our wish is, that you may succeed; our advice is, go in at once, as if you ment to win. We Irishmen at last have learned that we must work if we would live. We have been always willing to work, but were not satisfied to do it

for a profitless pastime. We now feel the truth of wise Sydney Smith's words—"What trash to be bawling in the streets about the Green Isle—the Isle of the Ocean—the bold anthem of *Erin go bragh!* A far better anthem would be, Erin go bread and cheese—Erin go cabins that will keep out the rain—Erin go pantaloons without holes in them."* Teach your fellow-Saxons this, and make them know us as we are. You have a wise head, a ready pen, and, we believe, honest intentions. Let the country of your adoption be as dear as that of your birth; and when the green grass of Ireland shall wave above your grave, men will say, here rests a benefactor of his country.

The Saxon tells us, with the preacher—"I looked on all the works that my hands had wrought, and on the labour that I had laboured to do; and behold! all was vanity and vexation of spirit, and there was no profit under the sun." He was about to leave the dwelling of his youth, and was, with his wife, and his friend the curate, considering the most desirable settlement upon which to pitch his tent. He had been driven by circumstances "to emigrate." He thought of Canada, the Cape, New Zealand, Australia; but the curate—God bless that curate! we say; he must have much of Dr. Primrose in his nature—pishes! at them all, and says,

"What do you think of Ireland? Good land—healthy climate—estates to be had cheap." 'Oh, my friend', replied I, 'worse than all. Only think of the midnight attacks of armed ruffians—the abduction of females—the lifting of cattle—forcible detention of crops—denunciations from the altar, and consequent murder. No, no; all this is too shocking to think of.'

And the curate says—

"I have always observed that there is a pre-eminence given to anything that can criminate or depress unhappy Ireland, which does not extend to other countries, in themselves perhaps equally wretched and guilty. One would almost think that it was the interest of some parties there to magnify atrocities and to multiply offences. There is scarcely a broken head at a faction fight which is not paraded in print, that it may rouse Saxon indignation, and be salved over by Saxon sympathy."

Just so; the curate is right; all Ireland's faults are exaggerated into crimes, her crimes into hellish atrocities. The unfortunate

* Rev. Sydney Smith's Works, vol. 3, p. 466.

Saxon had saturated his mind with English accounts of Irish crimes. He thought that Irish courtships were managed according to the ancient etiquette of Romulus; that every man looking for a wife was a Sir Henry Hayes, and every young lady a Miss Pike; and that Mr. Whiteside, or some other Curran of our day, was perpetually convulsing juries with eloquent descriptions of abducted maidens. We have no doubt whatever but that the Saxon, poor fellow! supposed that Dr. Mac Hale, like his namesake, the immortal Larry,* was in the habit of parading the country, armed with a flail instead of a crozier; and that Dr. Whateley could not take the air upon the Donnybrook road, unless guarded by minor canons and rural deans. But the curate knew better; for he tells the Saxon—

“One great misfortune to Ireland has been, that the English seldom take the trouble to acquaint themselves with her real condition, or with what is excellent and useful in the character of her people. They are so much accustomed to look at the dark side of the matter, that the very existence of a bright side scarcely entered into their conceptions. The public mind, however, is awakening from this delusion; and a few years will witness great changes.”

The Saxon resolved to take a look at Ireland before making up his mind about a sail to the Cape, and began to read all manner of works about Ireland and the Irish. He found “its whole history was one sad romance—the impatient struggles of a turbulent but generous people with a series of ignorant and oppressive governments. He lamented that “such a country—so near our shores, so connected with us by every tie—should be alien, if not hostile—a drag upon our prosperity—a perplexity to all governments, a help to none.” At length the Saxon resolved to start for the far west—of Connemara, and promised to write regularly to the curate an account of his proceedings, and to give the impressions of the moment just as they arose.

He arrived in Dublin safely, and did not make Mr. Thackeray’s discovery about the brass plate aristocracy, or that our hotel windows were kept open by the support of a hearth-brush. He admires our

* Lever’s “Charles O’Malley”—

“His favourite weapon was always a flail;

Faith I wish you could see how he’d empty a fair,
For he handled it nately, ould Larry MacHale.”

public buildings, but disapproves of our beggars and dirt ; and we forgive him this dispraise—first, because it is just ; and secondly, because he has not tried to be witty. But indeed the time has passed when the English tourist thought it a matter of course to write about Dublin with a grin upon his Saxon countenance. Everybody remembers the lady tourist of the old time, when it was the fashion to sail up to Rings-end. She said (referring to the sandbanks in the harbour, and the name of the landing-place) that she “entered Dublin between two bulls and a blunder.” Our Saxon takes the train to Mullingar, of which line, and the carriages, he approves very much, and soon arrives at Galway, of which he writes—

“For the purposes of commerce, internal and external, Galway has few rivals in this or any other country. In the south it possesses one of the finest bays in the world, offering a nearer communication with the continent of America ; on the north it will shortly communicate, by means of a broad canal, with the expansive waters of Lough Corrib ; and after a second canal is finished, by Corrib, into Lough Mask, there will be opened into the interior of the country a still-water navigation of nearly forty miles in length ; and thousands of acres of fertile land, hitherto almost unproductive, will be brought into contiguity with good markets. Lough Corrib is twenty-seven miles long, and covers nearly 50,000 statute acres ; it contains numerous fertile islands, and a coast sixty miles in extent. Lough Mask, with the smaller Lough Carra, covers about 25,000 acres, and is in length about ten miles.”

It must be remembered that the Saxon came here, not as a tourist in search of the picturesque, but as a man seeking a home wherein, by the expenditure of his capital, and labour, and skill, he might one day hope to enrich himself. He therefore looks on all the land about him with a practical eye, and of the flat district about Lough Corrib and the Menlo Bog he writes, having examined the district on account of its lying very near Galway—

“The low flat, close upon the lake, is so full of quagmires and holes, and presents so little fall for the water, that one glance satisfies the eye as to its want of capability ; but more to the west improvable portions appear. On the upper grounds, or slopes, any quantity of good limestone gravel may be procured ; and, with proper draining and banking, these lands may be converted into productive meadow. It is a remarkable fact, that nature appears to have pointed out, and indeed assisted materially, the capability of these extensive wastes for cultivation. At convenient distances, long ridges of limestone gravel will frequently occur, which being applied as a surface-

dressing to the peat, produces an almost immediate beneficial effect. One method of applying this gravel is ingenious, particularly on the flat wet lands. It is as follows;—Take a level line from one bank to the other; along this line cut a canal in the bog, about three feet deep, in which, filled with water from the surrounding bog, a flat boat may be used; and this, with the assistance of parallel canals, will convey gravel from the banks to every part of the intervening land."

But although the Saxon found the country near Galway thus far good and promising, he did not think it exactly the spot to suit him. He goes into the question of the geological statistics of the locality; and to those interested in the capabilities of the district we can recommend this portion of the book. Sea-weed is found in abundance along the shores. The inland parts abound with limestone strata, granite, sand-stone, &c.; but the reader wishing to understand the subject in all its bearings must consult the very carefully drawn map of the author's route, attached to the volume; with it, and the latter part of the first chapter, the subject will be made plain "to the meanest capacity." The Saxon continued his journey to Clifden, and there he saw that the Commissioners for the Sale of Incumbered Estates had been at work. Mr. D'Arcy, the owner of the greater part of the place, and the master of its castle, had, from various causes, become embarrassed in circumstances, and receivers had been applied for and appointed over the property. We are not about to enter into particulars, but Mr. D'Arcy found that the protection and power which the law gives to the receiver was, in his case, either misused or non-used; for at the period of the sale in the Incumbered Estates Court, there were due by the tenants eight years' arrears. We think, even upon the facts stated by the Saxon himself, that it is plain Mr. D'Arcy did, like Lord Kingston, invest too much money in bricks and mortar, and attempted too great changes, and too many improvements; and that from these improvements no fair return for the capital expended could be reasonably looked for. Mr. D'Arcy, he says, "found the place a morass; he left it a lovely Oasis amid the desert which still surrounds it." Truly, he did find it a desert, and a howling one, too. In "The Industrial Resources of Ireland," Sir Robert Kane states, that "The town of Clifden, and the surrounding country, were, in 1815, in such a state of seclusion, that they contributed no revenue whatever to the state; and up to 1822,

the agriculture was so imperfect, that scarcely a stone of oats could be got. In 1836, Clifden had become an export town, having sent out 800 tons of oats; and it produced to the revenue, annually, £7,000."

The Saxon passes from Clifden by various desirable spots; he sees many places by the way which promise well; he finds the landlords, in some cases, willing to aid the tenants, and doing it too; in other instances, he discovers that they are either unable or unwilling to assist the poorer classes. The Marquis of Sligo, and other resident landlords, he hears, are doing all the good in their power to the people; but still he observes in many, nay, in most places, the signs of neglect or apathy. At Westport he hears again of the good character of the Marquis of Sligo, and that he is willing to grant such loans as will enable men of "enterprise and capital to do well, even in the face of all present discouragements." He thinks that his countrymen should look to Ireland before they think of more distant lands, as purchases can be made here at prices little more than those demanded in Australia or Canada. He says—

"At each step I take in this land, so highly favoured by nature, my ideas of its desirableness and capabilities increase; and I look with wonder at the general state of neglect and poverty in which some of the finest and most beautiful districts in these kingdoms are suffered to remain. Nationally speaking, the Irish are neither deficient in talent nor in industry. During my progress I have met with a larger average of well-informed, intelligent persons than I have met with even in my own country."

Bravo again, Saxon! Nothing is said more about the murders or abductions. The Saxon is just discovering that if the Irish have tails, they possess also the art of concealing them very well; and he also finds that really we are as intelligent as *even* the English. He continues:—

"I heard universal regret expressed by the inhabitants of all grades that the English had not bought up the Martin estates. 'All we want,' said an intelligent man, whom I met at Flynn's, near Ballinahinch, 'all we want' is English capital and English spirit, and,' he added most earnestly, 'English *justice*, so that a poor man may get a fair day's wages for a fair day's work.' And this, indeed, seems the great evil of the country: the proprietors, as a body, seem to have little or no money, and therefore the people have no work."....."If the estates are generally under mortgage, and

so overweighted with incumbrances of various kinds, that the nominal possessor is incapable of performing those positive duties, which by the laws of God are inseparable from the possession of the soil, the state must interfere; proprietors so situated must change hands, and the labouring population rescued from a state of misery and degradation, which, as it exists in this country, certainly has no parallel. This was the wise view taken by the present Government, when they passed the Incumbered Estates Act; and a more politic, or more *merciful* measure, it is impossible to conceive."

No doubt of it, Saxon, the Incumbered Estates Act was a *merciful* measure to *Ireland*: to the proprietors it was a violent legalized robbery. First, Free Trade half ruins the agricultural population of Ireland, and then the Incumbered Estates Act completes the destruction: Even the author before us, who has no sympathy with or for the Irish landlords, writes of the Free Trade measure, and its tail-piece, the Incumbered Estates Act:—

"Some of the most zealous improvers that Ireland ever possessed, particularly in the west, having exhausted their means, and raised money on their properties, under the conviction that remunerative prices would continue, find themselves at once engulfed in the common ruin, without any fault of theirs. Their estates are sold at less than half their supposed value, and they are turned adrift, with their families, ruined and destitute. It certainly appears a harsh policy; time must prove how far it has been a wise one. The landowners complain also, that these continued changes in the law damp all enterprise; that they are thus debarred, as prudent men, from improving their estates; that they are afraid to give employment to the poor, lest the outlay may never be returned to them; that *time* should have been given to them to set their houses in order; and that it was unjust at one blow to increase their burdens, and decrease their receipts."

We know that a section of the community has no right to complain of that which is done for the general good; and for this reason we agree with the Saxon—the Act was a "*merciful* measure." We think, too, that he is right in his views of the position of landlord and tenant in Ireland. The tenant has had no fixity of tenure—the landlord has been tied up by old rules and principles of law; the tenant has been sometimes oppressed, and has in turn sorely oppressed his landlord by roguish cunning. For our parts, we believe that he who can suggest a fair law of landlord and tenant for Ireland will be the best benefactor to the

kingdom it has seen since Alfred. We do not mean a law throwing all the power into the hands of the landlord; we do not contemplate a plundering project, designed to deprive the landlord of his natural and reasonable right of ownership, and which only knaves can plan, and confiding fools support, but a law just and fair to all. It is impossible to conceive how tenants, treated as some of those in the west and south have been, could work with hope or cheerfulness; they were serfs, rack-rented slaves, dragging out a weary life; in no way removed from the class of whom Pliny, the naturalist, wrote, "*Coli rura ab ergastulis pessimum est; et quicquid agitur à desperantibus.*"*

But whilst we write thus, we quite agree with the Saxon, who states :—

"It strikes me that the Tenant-right cry is absurd in all its bearings, if it *blinks the landlord's rights*. If the legislature must interfere at all, which is, I conceive, both unnecessary and impolitic, it should protect the landlord as well as the tenant. The instances of injury inflicted on landlords are far more numerous than those inflicted on tenants; and this remark I extend to England, and vouch for its truth from my own experience. In a majority of cases, farms are given up to the landlords in a worse state than the tenants took them; and the process of recovering damages in these cases is so tedious and so hazardous, that the proprietor had rather submit to the loss than spend money in procuring that redress which the out-going tenant cannot, perhaps, or will not, after all, afford to pay. In Ireland, at present, the real value of a property consists in the paucity of its tenants; a property without any tenants at all affords some hope of ultimate improvement, by the allocation of a different class of men, *on very different terms*, or in the personal occupation of the proprietor."

The Saxon passed upon his way; and still keeping one eye upon the productive valleys, and another upon the beauties of nature, and having, moreover, a little of Yorick in his disposition, and believing that the sentimental traveller alone meets with adventure, he turns from the contemplation of green crops, thorough draining, and subsoil ploughing, and is lost with "lakerish" admiration at the beauties of the fine old Abbey of Cong.

The Saxon having out-staid his intended time in Ireland, returns to his own country, having resolved to sell his stock and interest in

* Lib. 18.

England, and then to come back once more to Ireland, and settle here for life. He accordingly starts for home, and meets that honest-hearted curate (we hope he may yet be a bishop, full of piety and learning, Greek roots and Hebrew points), and the Saxon tells him:—

“I do not hesitate to confess that Ireland, in the fertility of its soil, the kindness and hospitality of its people, and the beauty of its scenery, has far surpassed my expectations. I am decidedly of opinion, too, that fortune, respectability, and happiness may be found even there. ‘I never doubted it,’ said the curate; ‘and felt well assured that your absurd English prejudices (pardon me) would speedily wear away, when you saw with your own eyes, and used your own judgment. Let a few English families cluster together, purchase, or take on lease, estates in the same neighbourhood, hold together, mutually assisting each other, keeping the unity of the spirit in the bond of peace, as the Apostle advises, acting kindly and *justly* to the inhabitants, eschewing politics, not meddling with the religion of others, but quietly practising their own; I repeat, let emigrant families act thus, and I, for one, would prefer green Erin as a settlement to any country on the globe. And why not? Are sensible men to be scared with the interested exaggerations of unpatriotic speakers and writers, who would gladly drive industry and civilization from their native shores, in order to serve their own purposes? Are the Irish worse than John Heki, and other native chiefs?—or, are they more relentless than the Caffres, or the red Indians, or the Cannibals of North Australia? In nine cases out of ten their crimes, deep and fearful as they are, have sprung from the sense of injury, and from the heartless system under which they live—or rather under which they starve. These days of injustice and crime are passing, though slowly, away, and the time is approaching when Ireland must and will be in the strictest union with her sister island; when the same laws, the same usages, the same language, the same feelings, will prevail in both; and when——’ ‘And when,’ said I, interrupting him, ‘the curse of absenteeism will cease, since the power of steam has almost annihilated distance, and now brings the Irish proprietor within a few hours’ journey of the Irish metropolis.’ ‘True,’ continued the curate, ‘*the effects of this facility of intercourse will soon be felt*. As yet the Englishman lingers, hesitates, hugs his old prejudices; but the bolder few are already at work; they are silently, and most advantageously, purchasing lands and houses; they see the horizon clearing away after the long storm; and they and their descendants will, no doubt, reap a plentiful harvest. Gradually others will follow, till I verily believe Ireland will be the fashion, as Scotland has lately been; and everybody rushing that way will wonder why they delayed so long.’ I smiled at my friend’s enthusiasm, but felt there was much of probability and truth in his rhapsody.”

The Saxon returned to Ireland, and again started for the

the west. On this occasion he went by Edgeworthstown to Castlebar. Of Castlebar no man can say much. It was the headquarters of the French, under Humbert, in 1798, and in 1850, its anti-pay poor-rate population furnished the almost sole employment to the Court of Common Pleas, in the pleasant days of Chief Justice Doherty, and jocular idleness. Of Lord Lucan he writes in high commendation. We regret our space will not permit a lengthened extract from this very carefully written chapter; but the concluding portion is as follows, and shows to a certain extent the result of his lordship's bold experiment:—

“I was informed that altogether Lord Lucan had little less than 10,000 acres in hands; and, as leases fell in, the vacant farms undergo the same process, in order to secure for the future a different description of tenant. The mode of treatment seems to be generally as follows:—The surface is pared and burned, the ashes spread, potatoes dibbled in rows, without other manure. The ensuing crop of oats is dressed with stable dung, or guano, which can be procured from Liverpool at about £11 per ton. With the oats, they lay down the grass seeds—viz., to the acre, $1\frac{1}{2}$ bushel of perennial rye grass, 6lbs. of red clover, and 9lbs. of white clover, or honeysuckle. Five hundred acres, I was informed, have been thus laid down last year! The Holm Farm is about 3,000 acres, and employs thirty working bullocks, and twenty-six horses. One sixth part of this is bog, but under gradual reclamation. About thirty acres were reclaimed last year. Ballymacragh is also in hand—a farm of about 350 acres, situate on Lough Sannagh, two miles on the Westport road. This also is undergoing the process of laying down; and this year thirty-six acres were completed. I merely enter into these imperfect details to show you what is even now being effected against bad times, and ruinously low prices. Lord Lucan has no fewer than seven stewards or over-lookers, upon these and other farms in hand; and there is a regular office at his residence, near Castlebar, where all the accounts are weekly handed in, examined, and passed. His lordship does not, I believe, let his farms for a longer period than twenty-one years; which, though at present prices probably a prudent plan, yet will, I fear, affect the ready disposal of them. This, however, is really a desirable country to settle in; there is much good land, a near market, and an abundance of caustic or burnt lime at from fivepence to sevenpence a barrel, or, what will be more intelligible to English ears, half-a-crown for as much as one horse will draw. Many cattle also are bred on Lord Lucan's estates here, principally short-horns, Galloways, and Ayrshires. They are kept till three years old, and then, for the most part, shipped for England. The dairy consists of about one hundred cows. Twelve or thirteen tons of cheese are annually made

and sold; and the butter is packed in firkins, and fetches about eightpence per pound of sixteen ounces. Some of the cheese I tasted at a gentleman's house, and I found it quite equal in quality to the best single Glo'ster."

That we may not detain our readers too long with thoughts or suggestions of our own, we pass over the interesting notes the Saxon has given of his further rambles, and we place our author by the side of another Saxon, a Mr. S——, who has settled in the far, far, west—Erris. We will not copy the Saxon's description of the wild beauties of Erris or Ballyenoy. Who has not read Cæsar Otway's word painting? Who has not lived and moved, in fancy, amongst the towering hills and sweet quiet lakes, followed the red deer, and felt his heart beat quicker, whilst revelling with poor Maxwell in the "Wild Sports of the West?" Mr. S., the Saxon's friend, was delighted with his adopted country. His wife and children were happy; their mode of life was simple; there are no Johnston's, or Todd and Burn's, or Pim's, in Erris. His crops were good, his methods of reclamation cheap, yet sure; and all these blissful things together took the Saxon's fancy, and engaged his heart; and so he resolved to become a settler at the nearest point to Mr. S. He made the resolve to purchase, reflecting that—

"Ireland is very moderately taxed—not, however, that she could bear more than has been already put upon her; tithe, cess, and poor's rates form the principal outgoings on land, exclusive of labour. The tithe, as far as I could judge from the inquiries I was enabled to make, is below the English average. The rate for the relief of the poor (a most merciful and necessary measure) has not, generally in Mayo, I believe, exceeded 5s. 10d. in the pound; but then the Poor Law valuation is very much under the real value. Next year a decrease to 3s. is expected. Should English capital be brought in to any extent, the rates, I am convinced, would soon be the merest trifle. Upon my English property the taxation, or rather the outgoings, are fearful. Before I can look either for interest upon the capital employed, or profit from my exertions, I have nearly 12s. per acre to pay in outgoings of various kinds. These consist of fines and quit-rents to the Lord of the Manor; road rates, church rates, poor's rates, county rates, land tax, income and property tax, assessed taxes; and though last not least, from 5s. to 7s. per acre by the tithe composition, which, being calculated on averages, will for some years press most heavily upon the already overwhelmed agriculturist. Add to these the many calls upon private charity; the public subscriptions, which a man cannot put aside without odium; the relatively high scale of wages, which, nevertheless, ought not to be desired; the con-

tinual wear and tear of implements ; the long blacksmith's bills ; and the various perquisites to servants and labourers, which, allowed in more prosperous days, cannot now be discontinued without murmurs and dissatisfaction. From the greater portion of this ruinous pressure Ireland is free ; while her labour is fifty per cent. cheaper, and her soil equally if not more fertile. In Natal land costs £1 5s. per acre, on other settlements still more ; in Ireland good reclaimable land can be got cheaper.

‘ O fortunatos nimium, sua si bona norint,
Agricolas ! ’

With these convictions upon his mind it cannot be a matter of astonishment that the Saxon should very soon start for Dublin, where, from that most learned and polite of auctioneers, Baron Richards, he purchases the reclaimable Eden upon which he means to live and die. It overlooks Tulloghan Bay.

“ It contains 845 acres. At present only 12 are arable ; 326 tolerably enclosed meadow and pasture ; the remainder is in part black bog, about two or three feet deep, on a substratum of clay and gravel, and high land, occupying the centre of a lofty knoll, an offset of the adjoining mountain. Half way up the southern side of this green hill is a beautiful spring, which, bursting copiously from the rock, even at this dry season, promises abundance of excellent water for all purposes.”

Thus the Saxon is at length settled in Ireland, with a pleasant, hopeful spirit—hopeful for himself, and full of hope for poor Ireland. We wish, wish most ardently, that his hopes may be fulfilled, and his wishes accomplished. He is a true-hearted Saxon—a genuine man, with honest intentions. We know not whether he may be considered as looking too brightly upon the future prospects of our country ; it is, in our minds, no small thing to discover a man who even hopes good for her ; but here is one who expects it. He writes—

“ That trade is languishing—that enterprise is at a stand-still—that men's hearts are failing them—that everything is, in fact, retrograding at present, common observation must convince any one that will form an impartial judgment. But let them be patient for a while. The ample resources, the immense capabilities of the Sister Isle, are beginning to attract observation in England ; and I cannot but venture what some may call a rash prediction, that *Ireland has seen her worst days.*”

We hope so too. Let the Minister, be he Whig or Tory, treat us fairly ; let him enable our poor to live by honest industry—by

reclaiming wastes and improving our harbours; and, having done this, let him give the children of our poor the crowning blessing of education, and all must be well with Ireland. It is absurd to talk of education, whilst the mass of the labouring and artizan classes are plunged in poverty. It is stated that the weavers of Macclesfield have collected amongst themselves the large sum of £300, towards getting up a library and opening a park in their town. Could this be done—could it have entered for a moment into their thoughts, had they been in the miserable condition of the Irish artizans? We never hear the wise project started, of ameliorating the state of the Irish poor by means of education alone, but the speaker recalls to our minds the scene in Congreve's "Love for Love," in which Valentine counsels his hungry servant, Jeremy—"Read, read, sirrah! and refine your appetite. Learn to live upon instruction; feast your mind, and mortify your flesh; read, and take your nourishment in at eyes; shut up your mouth, and chew the cud of understanding. So Epictetus advises."* And we speculate upon the probability of Seneca's being able to preserve his equanimity, or of Plato's having written the *Phædo*, had his diet consisted of half quantities of Indian meal or very watery Swedish turnips. And yet, poor and hungry as Paddy and Pautheen, or little Paddy, have been, the National Schools have worked well; and we refer with pride to the following extract from Mr. Porter's work, "The Progress of the Nation," p. 708:—

"In 1834, the number of schools under the National system was 789, and the number of children attending amounted to 107,042. In 1846, the schools were 3,637, and children attending 456,410. In 1847, the woful famine year, the schools were 3,825, but the children had fallen to 402,632. In 1849, the schools were 4,321, and the children attending amounted to 480,623." Mr. Porter states—"No one who has witnessed the effects produced by these establishments in districts where they had not previously existed, needs to be told that their moral effects are not confined to the children by whom the schools are attended, but that an immediate and powerful influence is exercised by them over the parents also."

* By the way, why does not Sheridan Knowles, or Calcraft, a man of undoubted taste, and who has so ably and learnedly defended the stage; or Planche, the prince of adapters, prepare one or two of Congreve's comedies for the modern stage? His plays would, no doubt, require careful arrangement to suit the present day. We are now so virtuous and proper, that nothing suits us but straight-laced propriety and—POSES PLASTIQUES.

Ireland has gone through a frightful ordeal; and when we recollect the dead thousands, the emigrant thousands, Poor-House-seeking thousands, and remember that all these thousands form millions lost to Ireland; and when, too, we remember that, with all the misery of the time, her *crime* did not extend beyond its ordinary limits, surely one may hope that Almighty Goodness will reward this great endurance.

We think, with the Saxon, that Ireland has seen her worst days; we know that she has within herself the elements of improvement, and all the beginnings of wealth; we know, all thinking men must know, that but for the failure of the potato crop, this country would not be in its present position: there is already a well-defined and distinct prospect of improvement in all our exports. But the following table will show the effect of the potato crop failure on the Irish small farmer's best friend—his pig. The exports in the four years given below are, of—*

	1846.	1847.	1848.	1849.
Oxen, cows, and bulls ...	186,483	189,960	196,042	201,811
Calves	6,363	9,992	7,086	9,831
Sheep and lambs	259,257	324,179	255,682	241,061
Swine	480,827	106,407	110,787	68,053

The next table will show the exports of pigs in 1832, and the advance in our exports and imports of corn :—

" In 1832, the number of pigs shipped for Liverpool alone was 149,090; and for Bristol 85,619; and for Liverpool, in 1837, the number of pigs was 595,422, which, at 50s. each, the average value, gives £1,488,555. The value of the eggs sent from Ireland to Liverpool and Bristol is £100,000 per annum. In the year 1849, the total amount of grain and meal shipped from Ireland to Great Britain was 1,426,397 quarters; and in the last mentioned year the number of vessels, including repeated voyages, was—to England, 8,607, with cargoes of 1,478,059 tonnage; to Ireland, vessels, 18,000; cargoes 2,159,954 tons. The great difference between the clearances and the entries arises from the fact that the shipments to Ireland are more bulky than the receipts from Ireland, causing many ships to return to Great Britain in ballast, of which no account is taken; whilst others, after discharging in Ireland, proceed thence on distant and foreign voyages.†

* Porter's "Progress of the Nation," p. 343. † Ibid. p. 342, *et seq.*

These figures show what we may yet, with fair play and justice, do. Mr. Porter writes—

“What is principally wanted towards ameliorating the physical condition of the working classes of Ireland is, a steady market for their labour. It was the want of certain employment which, until the establishment of the poor law, drove them of necessity into the system of hiring, each one for himself, one or two acres, or even a few roods of ground, at an exorbitant rent, as the only resource left against absolute starvation.”*

And he continues—

“It is calculated, that by draining and reclaiming bogs, about five millions of acres may be additionally brought into cultivation in Ireland, when the quantity of cultivated land would amount to 19,600,000 acres. If the proportionate number of labourers employed on this quantity of land were assimilated to the number employed in England, it would give occupation to about 605,000 labourers, being very far beyond one-half the number of male agricultural labourers of Ireland, as ascertained at the census of 1841.†

By Mr. Griffith's estimate, appended to Lord Devon's Report, it appears, that in Ireland there are waste lands, reclaimable for the spade and plough, 1,425,000 acres, and reclaimable for pasture, 2,330,000 acres. There are at present 326,084 occupiers of land, whose holdings vary from one acre to less than seven. Now, to consolidate those small holdings would require the removal of 192,368 families, and it is calculated that the first-class of improved waste lands would give these families eight acres each; the first and second class together would give those families farms of twenty acres each. Further, it is computed that by those arrangements the 500,000 labourers, equivalent to two millions and a-half of the population, would be withdrawn from competition in the labour market. This fact alone is of great importance in a country over-run by a labourless population; and another fact, which our brother Bull will at once be able to appreciate in all its force, is, that by the waste lands alone being brought into cultivation, an addition of £22,000,000 would be made to the gross produce of the country, and the first three or four years' crops would return the cost requisite to bring about this change. And Professor Davy, of the Royal Dublin Society, in his “Essay on the use of peat or

* “Progress of the Nation,” p. 306. † Ibid. p. 308.

turf as a means of promoting the public health, and the agriculture of the United Kingdom," states:—

"That all the species of turf, of all colours, in all forms, solid, fibrous, friable, has the most powerful effects, as a deoderising agent, and that those effects can be produced in the strongest manner, by simply separating the water from the turf, which can be perfectly done by exposing it in dry weather to the heat of the sun, or by drying it by artificial heat, and reducing it to a fine powder. The powder can be shaken from some such case as a common flour dredging-box upon the most noxious animal or vegetable substance, which will become quite inodorous, and be changed into a manure quite equal to guano. There are 2,830,000 acres of turf or peat in Ireland; and in the year 1845, 220,000 tons of guano were imported into the United Kingdom."

These are facts worthy of being remembered—facts which prove this country to be one of the first in the universe in point of natural advantages. The concluding passage of the Saxon's book is worthy of the author: it is true, and just. He writes:—

"Many persons are deterred from settling in Ireland in consequence of the violent religious discussions which are fostered and kept alive by teachers, whose religion enjoins them 'to live in peace.' For my own part, I view these contests without the slightest anxiety as to the result. As I have already observed, they afford many strong arguments to schismatics and infidels, and destroy more souls, under the mask of a love of unity on one side, and a love of truth on the other, than all the writings of Tom Paine, or a Voltaire. But the growing spirit of the age is against all these anomalies and inconsistencies; men's eyes are gradually opening to the difficulty, if not absurdity, of coercing the human mind, either in one way or the other. The settler in Ireland has nothing to do with these intemperate proceedings; he will wisely stand aloof, and, whatever his creed may be, he will leave to others the enjoyment and benefit of their own opinions, and endeavour, by a quiet and consistent course, to prove the practical excellence of his own. For my own part, I feel there is nothing to fear in settling in this beautiful island. The people naturally are brave, generous, and polite; they are grateful for the kind word, and the *just act*; they are ceasing to be so entirely the creatures of wild impulse; and every passing day is bringing them more under the dominion of common sense and right feeling. Education cannot now be stopped; and it is to that, above all other things, we must look for the regeneration of Ireland."

And, having met some "Bible readers," he writes thus:—

"We entered into conversation with these men. They did not pretend to much success at present; nor could they say that the population

received them gladly. The elder of the two (the younger was a mere stripling for so grave a purpose) was well read in his bible, had been sufficiently tutored in his points for argument or disputation, was fluent in speech, and well up to his business. His main object among the people, he said, was to wean their minds from all superstitious reverence to externals—to restore the sacraments of the church to their real spiritual signification—and, moreover, to denounce the system of Popery as a fraud. I did not, I must confess, entirely enter into all his views; he seemed to me, in his endeavours to avoid one error, to be in danger of running into another. The violent protests of such men shock oftener than they convince. It is necessary to deal tenderly with prejudices, and fiery denunciations are more calculated to raise opposition and hatred, than to win men from error to the truth. I was afterwards informed that much excitement had been caused in the neighbourhood by these proceedings; but to what extent they had succeeded in gaining real and conscientious converts to the Protestant church, I could not ascertain."

Just so; they make the people bad Catholics, and still worse Protestants. A clergyman of the diocese of Cashel tells us, that a short time since a man, who had become a Protestant, and attended church frequently with his family, was required to show his change of religion by receiving the sacrament: he attended the church on a certain Sunday; when the wine was presented to him, the ruffian said to the clergyman—"Your health, sir!" and, drinking the wine, walked out of the church, taking his family with him.

Thus, reader, we conclude. We have classed these two books together, not that we consider the Saxon to be at all, either in style of composition, or scope of subject, or reasoning, equal to Mr. Johnston, but because we were anxious to show, at one view, the opinions of two clever men, upon two very interesting subjects—the social condition of England, and the ideas Englishmen entertain upon the present and future position of our own poor country. The Saxon's sentiments we have given at some length, and we believe that by it, we have done a service to our countrymen. Mr. Johnston, it seems to us, does not quite understand, or if he understands, does not feel in its full force the palpable effect, or the ultimate result of that spirit of democratic progress so much cherished in England, and so rapidly spreading in all directions. True, the mighty power the middle classes possess in that country does, and will, keep down, or crush, the dangerous spread of

this spirit; but that it does really exist, no man can doubt, and that the working classes are every day separating themselves from the other sections of the country, and becoming, if such a change be possible, a distinct body in the community, with hopes, and wishes, and, we fear, ambitions, peculiar to themselves. Of Mr. Johnston's opinion of Irishmen, we can write nothing more. We can only regret his strange perversion of mind, and hope he may yet find some sign of improvement in England, and, as an Irishman, learn to understand his fellow-countrymen, and take for his motto—*"Patriæ fumus igne alieno luculentior."*

ART. II.—IRISH HISTORICAL LITERATURE.

Miscellany of the Celtic Society; containing the Genealogy of Corca Laidhe; Poem on the Battle of Dun, by Gilla Brighde Mac Connemidhe; Docwra's Tracts; several Poems, Pedigrees, and Extracts. Edited by JOHN O'DONOVAN, Esq., L.L.D., M.R.I.A. Dublin: printed for the Celtic Society. 1849. (Published March, 1851.)

THE spirit of research has, during the last ten years, been actively employed in Ireland in the production of works illustrative of the history and antiquities of the country; yet, in the cultivation of this important branch of learning we are far behind the rest of Europe, and still, in a great measure, lie open to Sir James Mackintosh's taunt, of being "*gens incuriosa suorum.*" The documents which have of late been rendered accessible to us tend to show, that vast quantities of important information, still existing in manuscript, must be brought to light before we can expect to acquire anything even approaching to a correct knowledge of our history.

It would be a difficult and unprofitable task to enumerate the number of Histories of Ireland produced during the present century; from the violent and imaginary work of Denis Taaffe to the elegantly illustrated volume lately published by an enterprising London bookseller as "*The Standard History of Ireland.*" With the

honorable exceptions of Dr. Lanigan's "Ecclesiastical History," and the "*Rerum Hibernicarum Scriptores Veteres*,"* all these so-called *Histories* are servile copies of Leland's miserable production; colored to suit the political and religious views of the writers, and totally uncharacterized by any original research or information. Such was the state of our historical literature when Government commenced the "Ordnance Survey" of Ireland, the antiquarian department of which was committed to John O'Donovan and George Petrie, with whom Mr. E. Curry was afterwards associated.† Of the capabilities of those persons for the task assigned them this is not the proper place to speak; any eulogium of ours could not augment the merited reputation they enjoy amongst those who are capable of appreciating their eminent services in the neglected field of Irish historical research. The proceedings of the "Survey" were, as our readers know, brought prematurely to a close by the parsimony of the English government, after demonstrating, by the publication

* Edited by Rev. Charles O'Connor, and published in 4 vols. 4to., 1814-27, at the private expense of the Duke of Buckingham. It is a matter of regret that no one in Ireland has been found to emulate the munificence of a stranger in the publication of our annals. We must not here omit to mention, that the Rev. W. Reeves, of Ballymena, last year, presented the Irish Archæological Society with a handsome volume on the Antiquities of the Diocese of Derry. The Marquis of Kildare publicly announced his intention of printing for the same society, at his own expense, "*The Leiger Book of Gerald Earl of Kildare, 1580*," which has not yet, however, made its appearance. The system of private publishing is carried to a great extent among the literary classes of Scotland; and many of the most important works on their history have been thus produced. In Ireland such enlightened liberality is almost unknown.

† The following extract from Mr. Curry's evidence before the "Committee on Public Libraries" will exhibit, even to the utilitarian, the value of our ancient Irish manuscripts:—"Their importance was found first in relation to the Irish Ordnance Survey. When the surveyors went out to measure the country, they had recourse to all the existing English documents containing the names of the townlands, and parishes, and baronies; but, having found the names set down in one document, when they consulted another document they found these names differently spelt; and there was such a difference in point of orthography between the various documents, that they were at a loss to know how to enter the name. They then determined to consult the Irish manuscripts of the country, which probably might contain the true orthography, and George Petrie and John O'Donovan were employed for that purpose, and I was employed shortly after to assist in it. We consulted all the Irish manuscripts in Dublin, or accessible in Ireland, for that purpose, and collected from them all the names of places we could, identifying them with the localities to which they properly belonged: as, for instance, when we went into a county, the surveyors went and took

of the elaborate "Memoir on Londonderry,"* how important would have been the continuation of its labors. The production of this "Memoir," and the various essays of O'Donovan and Petrie, obtained a partial recognition of the value of our native historic documents; and with a view to their publication, the "Irish Archæological Society" was founded on St. Patrick's Day, 1840.

This Society, now in its eleventh year, has printed for the use of members thirteen volumes, each a mine of historical information, chiefly compiled from manuscripts, in a language, portions of which are so long obsolete, that our most erudite palæologists occasionally find considerable difficulty in its interpretation. The rate of subscription and high entrance fees† originally decided on by the founders of the Irish Archæological Society, effectually deterred many humble well-wishers from contributing to its funds: to remedy this serious defect, and to place our history within the reach of the masses, the Celtic Society was founded in 1846.

"The materials for Irish history," says the original prospectus of the Society, "although rich and abundant, have hitherto been only to a small extent available to the student. The few accessible authorities have been so often used, and the works compiled from them

down all the names as they found them; they also had persons in Dublin to examine all the ancient documents, and take down all their names from inquisitions, leases, and various other old documents; these were also sent out to the locality, and compared with the existing name; but it was invariably found that those names travelled far from the true orthography. While this was going on, I was in Dublin, engaged in reading those ancient manuscripts; and it seldom happened that I did not find in some document the very name which was wanted; and even where we did not find the name, from our own knowledge of the language we were able to correct the corrupt form and assign the true one. Before that time, the addition to the collection of manuscripts was not much looked to; but when men of real understanding saw the value of them, they made every effort to add to the collection. They collected from all parts of the country any straggling remnants of Irish literature which remained; and they have been coming into the College Library and Academy Library ever since."—*Minutes of Evidence taken before the Select Committee on Public Libraries, 17th May, 1849.*

* 4to. Dublin, 1835. The British Association was holding its meetings in Dublin at the time of the publication of this volume, and strongly recommended the continuation of the printing of such works on all parts of Ireland.

† The subscriptions to these Societies are as follows:—Irish Archæological Society, £3 admission, and £1 per annum; Celtic Society, £1 per annum for large, or 10s. for small paper copies.

are so incomplete, that the expectation of any history worthy of the country has been generally deferred, under the conviction that vast additions must be made to our stock of available materials before any adequate work of that kind can be produced.

"These materials consist of manuscripts in the Irish, French, Latin, Italian, and English languages—of the architectural and monumental remains still spared to us—and of the numerous vestiges of arms, implements, golden ornaments, and other articles in use among our ancestors, evidencing their skill in workmanship and their advancement in civilization. Many of these are in England or scattered over the Continent—many, happily, are at home.

"The field of labor," continues the Prospectus, "is so large, and long neglect has so increased the necessity for exertion, that it has been thought advisable to establish another society, the office of which will be, to aid in making public and elucidating the valuable and neglected stores of our national literature—to cultivate the study of our native language, the greatest record of the Celtic world—and to watch over the preservation of the monumental and other materials of Irish history.

"The success which has attended similar societies in other countries affords encouragement to the promoters of this arduous undertaking. England and Scotland have their Roxburgh, Maitland, Bannatyne, Spalding, Camden, Percy, Hakluyt, and Chetham Societies. But France is the country to which it is most important to look for the successful cultivation of history in the present day; and the labors and publications of "*La Société de l'Histoire de France*," (instituted in 1834,) afford great and encouraging examples.

"Yet this French Institution has done nothing which an Irish Society, resting on a broad popular basis, served by willing labourers, and drawing on materials so rich and abundant, may not reasonably hope to emulate."

Thus, full of hope and vigor, the Celtic Society commenced its existence, and in 1847 put forth, as its first publication, the *Leabhar na g-Ceart*, or *Book of Rights*, in our opinion, the most important work of its class yet in print, exhibiting, as it does, a complete view of the feudal state of Ireland, previous to the coming of the English; while to the social antiquarian, its varied and singular

notices of the costumes,* arms, luxuries, and superstitions of our Celtic forefathers are invaluable.

In 1848, the Society published the first volume of Dr. John Lynch's celebrated "*Cambrensis Eversus*,"† or Refutation of the authority of the Welsh writer, Giraldus Cambrensis, alias Girald de Barri, on the History of Ireland, accompanied with an elegant English translation and notes, by the Rev. Matthew Kelly. We trust soon to be able to give a lengthened notice of this work, which, when complete, will form a perfect body of information on all Irish historical and antiquarian subjects.

The melancholy state of Ireland during the past years, and the consequent difficulty of obtaining adequate support, had a serious effect on the labors of the Celtic Society; and but for the persevering energy and activity of its Council, together with the disinterested munificence of some of its members, it must, long since have, succumbed to the pressure under which so many of our literary institutions have fallen to decay. The last annual report of the Council, published in February, 1851, conveys, however, the gratifying intelligence that, owing to prudent management, the Society has not only survived the period of trial, but is now in a much more flourishing condition than could have been anticipated. Having premised thus far, in explanation of the objects of the Celtic Society, which, we regret, are not more widely appreciated and assisted, the new volume now claims our attention.

The first part of the "*Miscellany*" is occupied by a treatise from the "*Book of Leacan*,"‡ on that portion of the county Cork called

* One of our greatest wants is a book on the costume and arms of the ancient Irish; such a work, compiled from original manuscript sources, could be, without much difficulty, produced by Dr. Petrie. Until a publication of this kind is in the hands of our artists, we cannot expect any good historical paintings. The more ancient parts of J. C. Walker's writings on this subject are defective and inaccurate.

† The original edition of "*Cambrensis Eversus*," published in Latin, A.D. 1662, is a work of the greatest rarity, and has realised immense prices at book sales. The Report of the Celtic Society for 1849, gives some curious bibliographical details concerning this book.

‡ This invaluable volume was compiled at Leacan, or Lacken, in Sligo, in the early part of the fifteenth century, by Gill a Iosa Mor MacFirbis, chief historian to the O'Dowd of Tireragh. It consists of upwards of six hundred pages of manuscript, in the Irish language, closely written on vellum of a large size. The "*Book of Leacan*" was removed from the Library

Corca Laidhe,* a region hitherto almost unnoticed in our historical publications.

This district, lying on the south coast of Cork, and originally almost co-extensive with the diocese of Ross, was, at the earliest period of which we have any record, solely occupied by the clans of O'h-Eidirsceoil, or O'Driscol, and their co-relatives.†

Early in the twelfth century the western frontier of this territory was seized by the O'Mahonys: after the Anglo-Norman invasion the Barrys took possession of the eastern part; and the O'Sullivan, having been driven by the Fitzgeralds from Tipperary, settled in Beara and Bantry. About the same period the clans of O'Donovan and O'Collins migrated to the northern parts of Corca Laidhe, carrying their tribe name (Carbrie) from the banks of the Maig to the south of the Bandon, where it is still retained by the four baronies of Carberry. At present, the name of Corca Laidhe, under the corrupted form of Cothluidhe, is applied only to two small districts separated by the river Eilean, which forms the harbour of Baltimore.

The O'Driscols claimed descent from Ith, son of Breogan, the fabled founder of Brigantium; "and these," says the old writer, "are the tribe of the Gael that are not of the sons of Milesius,‡ nor

of the University of Dublin by James II., who deposited it in the archives of the Irish College, at Paris, where it remained till 1787, when the Chevalier O'Reilly induced the superior of that college to present it to the Royal Irish Academy of Dublin, then newly founded, in whose library it has found a final resting place. The Abbé Mac Geoghegan, who had access to the "Book of Leacan" in Paris, and wrote notes on several pages of it, tells us—"*Le style de ce manuscrit est si concis, et les mots si abrégés, qu' à peine se trouvet-il quelque 'un aujourd'hui parmi les Sçavans en cette langue, qui soit en état de le déchiffrer.*"

* Pronounced Corka Lee.

† They consisted of the following families or clans:—O'Flynn, O'Coffey, MacClancy, O'Curwin, O'Finn, O'Treabhair or Trevor, O'Credan, O'Hourisky, O'Mailfhina or Mullany, Gaughan, O'Finan, Dowling, O'h-Ogain or Hogan, O'Dugan, MacKeady, O'Kieran, O'Mongan or Mangan, Maccon or Macken, O'Kennedy, O'Doheny, O'Leary, O'Hennessy, O'h-Odhrain or Horan, O'Donghaile or Donnelly, &c., &c.

‡ Hence the old Irish epigram on the three chief families of this district, stating that "O'Coffey of the tall wine cups of gold, O'Flinn of Ardagh, and O'h-Eidersceoil, are not descended from Milesius." We think it was an oversight on the part of the editor to omit the stanzas from Gilla na Naomh O'Huidhrin, a topographer of the fifteenth century, describing "Beara and its salmon-yielding coast, in whose harbours of blue-water tall wine-laden ships used to ride."

of the Tuatha de Danann, nor of the Fír-Bolg, nor yet of the clan Neimhidh; and it may be said that their invasion is not of the Seven Invasions, for Ith was the first of the Gael that discovered Eire, and it was through him that the sons of Milesius came to inhabit therein, and widely did Ith's tribe after him spread throughout Eire* and Alba.

At the commencement of the Christian era the throne of Ireland is said to have been successively filled by two monarchs of the clan of O'Driscol. The reign of Conaire, the latter of these princes, is represented by the Irish chroniclers as a kind of golden age. "For in his time," say they, "the sea poured into the mouth of the Boyne (then called Inbher-Colptha) enormous shoals of fish. So profound also was the peace Ireland enjoyed, so careful was the king in extending to all quarters the arm of his protection, that the cattle roamed freely through the land without any shepherd. From mid-autumn to mid-spring no tainted gale or noxious blast ever injured flock or herd; the trees were bent to the earth with the load of their fruit; robbery was suppressed by the king, and all wanderers and thieves were expelled from the land."†

The clan was early distinguished by its predatory sea excursions, and the "long tall-masted gallies" of the O'Driscols were the terror of the merchants who frequented the southern coasts of Ireland.

After the invasion the annals of Waterford represent them as the inveterate enemies of the English settlers in that city, between whom and the O'Driscols a sanguinary, offensive and defensive, war was carried on, with alternate success, down to the sixteenth century. The "Carew Manuscripts," in the Archbishopal Library at Lambeth, supply us with the following curious illustration of the manner in which this contest was conducted:—

Symon Wicken, Maior of Waterford, his journey with O'h-Idreskoll, Christmas Eve, one thousand four hundred and thirteen, A^o. primo Henrici quinti.

"Symon Wicken Maior of the Citie of Waterford, Roger Walsh, and Thomas Sautler, Bayliffs, in the first year of his maioralty, with a band of

* This is the original Celtic name of Ireland. Erin, the word in general use, is its dative case.

† "Cambrensis Eversus," chap. viii. The author of the "Ogygia," in one of his unpublished poems, addressed to Dr. John Lynch, speaks of the "*regna saturnia Conarii*."

men in armor, in a shipp of the forsaid Citie, went on Christmas Eve towards Balintimore, and in nyght on Christmas day at supper tyme landed his men, and in good order came to the gate of O'h-Idreskoll's greate house or castell within the said haven, and called to the porter and willing him to tell his lord that the Maior of Waterford was come unto the haven with a shipp of wyne, and that he would gladly come in to see his lord. Upon notice thereof given by the porter to O'h-Idriskoll, the gate was set open, and the porter presently taken by the Maior and put aside, and so the Maior walked into the greate Hall, where O'h-Idriskoll and his kinsmen and friends, sitting at boordes made ready to supp, commanded O'h-Idriskoll and his company not to move or feare, for he would not, nor meant not, to draw no men's blood of the same house, more than to daunce and drinke, and so to departe. With that the said Maior toke up to daunce. O'h-Idriskoll and his Sonne, the Prior of the Friary, O'h-Ydriskoll's 3 brethren, his uncle and his wife, and leaving them in their daunce, the maior commanded every of his men to hold fast the said powers, and so after singing a carroll came away, bringing with them aboorde the said shipp the said O'h-Idriskoll and his company, saying unto them they should go with him to Waterford to syng their carroll, and make merry that Christmas; and they being all aboorde made sayle presently, and arryved at Waterford St. Steven's day at night, where with greate joy received they were with lightes."

To such a height had the power of the clan attained in the fifteenth century, that the Irish Government of Henry the Sixth found it necessary to enact the following special statute, in the year 1450, for the preservation of the English:—

"As divers of the King's subjects have been taken and slain by Finin O'Hedrischol, chieftane of his nation, an Irish enemy, enacted, that no person of the ports of Wexford, Waterford, &c. shall fish at Korkly (Corca Laidhe), Baltimore, nor go within the country of the said O'Hedrischol with victuals, arms, &c. and that proclamation be made of this by Writs in the parts aforesaid, under the penalty of the forfeiture of their goods, and ships to those who shall take them, and their persons to the King; and the town who receives the said O'Hedrischol or any of his men shall pay £40 to the King."

The latest notice we have of the contests between the city of Waterford and the O'Driscols, is to be found in Bishop Stearne's MSS., in the library of the University of Dublin:—

"On the 20th of February, 1537, four Portugal ships laden with Spanish wines, consigned to the merchants of Waterford, were driven by tempest to Cape Clear, Baltimore, and the old head of Kinsale. One of the ships called la Santa Maria de Soci, laden with 100 tun of wine, was driven into

a bay adjoining to the entrance of the haven of Baltimore. Finen O'Hederischol, Chieftane of the Island, Conogher his son, and Gilly Duffe his base son, came on board and covenanted with the Merchants for three pipes of wine, to conduct the ships safe into the haven. When the Gentry and Peers of those parts had tasted the wines, they forgot their safe conduct and invited the Merchants to dinner in the castle, seized and clapped them in irons, manned their Irish gallies and took the ship, and distributed 72 tuns of the wine among their neighbours.

"On the 3rd of March news arrived of this action at Waterford. Immediately 24 men of the city with Pierce Dobbyn for their Captain, sailed in a Pichard, called the Sunday of Waterford, well armed, and the day following at noon arrived suddenly at the ship, and as they boarded her on one side, Gilly Duff and twenty-four of his men fled out at the other. When the ship was won Pierce Dobbyn manned her, and set the prisoners at large, there remained of the wine twenty-five tuns and more, and taking a view of the castle they fired several guns at the great hall, and then sailed to Waterford.

"On the 27th of the same month, the Mayor fitted out a little fleet consisting of the ship lately retaken, another large vessel, and the great galley* of the city, well appointed with artillery, victuals, and men to the number of four hundred, and put them under the command of Bailiff Woodlock, as chief Captain, Pierce Dobbyn, James Walsh, James Sherlock, Henry Walsh and John Butler under Captains. On Wednesday the first of April at night they sailed, and arrived within the haven of Baltimore, and anchored towards the castle, which was guarded with men and artillery. They fired at it all night, and at the break of day the ward fled, and the Waterford men landed in good order in the island, and besieged the strong fortress there, the mariners entered the castle by the small port, and put up St. George's standard, and the army all entered at the Bridge-gate, and kept it five days, which they spent in destroying all the villages of the Island, and also the house of the Friars Minors near the castle, and the mill of the same. The fortress being double warded by two strong piles or castles, with walls, and barbicans, the halls, offices, &c. were totally ruined to the ground, and were tumbled into the sea. There was found in the island great store of malt, barley and salt. There was taken here Finen's cheif galley of thirty oars, and above three or four score pinances, of which about fifty were burned, and the great galley carried to Waterford. Near to Inishircan was an island called Inchipite, where Finen had his most pleasant seat in a castle, adjoining to a hall, with an orchard and grove, all which they destroyed and razed to the earth, and from thence

* This, the "*Buccintoro*" of Waterford, was deemed of sufficient importance to form part of the armorial bearings granted to the "*Urbs Intacta*" by Henry VII., in the lower division of which it is blazoned in all the magnificence of heraldic *or*.

they entered into another island, and burnt all the villages of the same. Then landing in the main they burnt and destroyed Baltimore, and broke down Teig O'Hederischol's goodly castle, and bawn.

"On Tuesday in passion-week one William Grant was on the top of one of the castles, which being all on fire under him, he stood upon one of the pinnacles and cried out for help; Butler tied a small cord to an arrow and shot it up to Grant, at which he drew up an hawser fastened to the cord, and fixing the hawser to the pinnacle, slid down, and was received by his fellows on beds. After this, on Good Friday, the army arrived safe at Waterford."

It is a fact characteristic of those ages, that the warlike chiefs of the clan of O'Driscol generally terminated their days in the seclusion of a monastery, after having made a pilgrimage to Spain, and laid their offerings on the splendid shrine of Santiago, at Compostella.

In the reign of Elizabeth, Sir Finghin, the O'Driscol *Mor*,* was induced to swear fealty to the queen, and agree to hold his lands from her by letters patent. "He thereby," says the genealogist, "extinguished the Irish rite. The former custom was, that the oldest of the familie succeeded, unto whome MacCartie Reagh did give a rod, and then he was reputed and obeyed as lord of the countrie of Collimore."

Sir Finghin forfeited his allegiance by surrendering his castles of Dun-na-Sead, at Baltimore, and Dun-na-Long, in the island of Inishercain, to the Spaniards, who joined O'Neil and O'Donnel at Kinsale, in 1601. He was afterwards, for state reasons, received into favour, and set Baltimore, together with some other of his possessions, to one Thomas Croke, for a fine of two thousand pounds, "thus laying," according to Dr. O'Donovan, "the foundation of a forfeiture."

An inquisition held at Roscarberry, County Cork, in 1609, gives the following curious particulars relative to the privileges enjoyed on his own territory by the O'Driscol *Mor* :—

"The predecessors of O'Driskoll, lords of the said Country, have been always used to have divers Royalties, duties, and other customs from Fashney bewest Cape Clyre to the Rocks called the Stagges Eastward. The said Sir Fynne O'Driskoll and his ancestors have been wont to receive as well from strangers as from their own tenants, the duties, customs, rents, and royalties following, viz. that every ship and barcque that cometh to

* *Mor*, i. e. Great—an epithet used among the ancient Irish to distinguish the head of a clan. The armorial bearings of O'Driscol, which we may

aunquer in any part of the said Harbrough of Baltymore, ought to pay to the chief lord for the time being four-pence sterling for his aukeradge. That every man that in the said town, Harbrough, or County selleth any manner of commodity or marchandize, ought to tender them unto the Lord, and if he will buy them to let him have them before any other, abating one shilling out of every twenty shillings of his price. And if the Lord refuse them to pay him eight pence of every twenty shillings they sell the commodities for, the same to be paid by the seller. That the Lord is to have as a Royalty out of a butt of wine landed in any part of the premises fower gallons and no more, though he had forty butts in one seller. And all the empty caskes that is there drawn, and to have two pence abated in every gallon that he buyeth to spend in his own house. That no man ought to draw a Seyn in the said Harbour, nor in any part of the said country without licence first obtained from the Lord; if he do he is then punishable at the Lord's pleasure. That the freeholders of the said Country are to tender any goods they have to sell unto the Lord, and to let him have the refusing of the same at the price another will give, but then he is to have nothing abated of the price, nor any thing if they sell to any other man after his refusal. But if they sell any other man's goods under that collor, they are punishable at the Lord's discretion. The Lord hath been wont to be Admiral of the Harbrough, and to have all wrecks within the Harbrough and County time out of mind. That every ship or boat that cometh to the said Harbrough or town either to fish or sell his fish, the Lord hath these duties following, viz. every ship or boat that fisheth there is to pay the Lord in money nineteen shillings and two-pence, a barrell of flower, a barrell of salt, a hogshead of beer, and a dish of fish three times every week from every boat, viz. Wednesday, Friday, and Saturday, and if they dry their fish in any part of the said country they are to pay thirteen shillings for the rocke. That if any boat of them do chance to take a hollybutt they must give it to the Lord for a balle of butter, and if they conceal it from him xxiiii. hours they forfeit forty shillings to the Lord. That for every beef they kill they are to pay eight-pence, and for every sheep and pig that is killed likewise one penny. That every boat which is let in the Harbrough to fishermen, the Lord is to have of the latter six shillings and eight-pence for every hundreth white fish and every barrel of herrings or pilchers sold in any part of the premises, the Lord is to have the refusing, and eight-pence if any other buy them, which the seller is to pay. That every boat which fisheth in or from the said Harbrough between Fastness and the Stagges three nights, is to pay two shillings eight pence to the

conclude to have been granted on the above occasion, are not to be found in any heraldic work. They are, we believe, Azure, three towers triple-towered, proper. Crest, between two towers, as before, a three-masted galley, with sails furled; Motto—"Semper in Periculum." The castles on the scutcheon are probably those mentioned above, and that of Glean Bearchain, or Castlehaven, all which important fortresses belonged to the O'Driscols:

Lord, and fish three times every week, and if they dry their fish for their rockes six shillings and eight pence. That all ships, except his Majesty's subjects, are to pay for their rockes to dry their fish on, twenty shillings out of every beef, all the interrelles, the tunge and tallow excepted, and six barrels of salt, and all other duties as is aforesaid, that the Lord may buy all the fish which is taken in the harbrough or a sea board, by any of the fishers that fish here three days in the season, and he is to have all those three days, two-pence better cheap in every dozen of white fish then the ordinary price there is; and those duties are to be levied by the Lord's bailiff by distress, if any refuse to pay the bailiff, to have from every of the said ships a fish three times every week, and a barrel of salt for the whole season. That the town of Kyngsale was wont to appoint an Admiral for the fishing season, and then he and the Lord did join in settling orders for the fishing and keep Admiral's Court every Monday; and all pecuniary punishments for breaking the orders agreed upon were to be equally divided between the Lord and the Admiral; but if Kyngsale did not send one Admiral, then the Lord might appoint one, and take the same course alone. That all fines for bloodsheddes belong to the Lord, which are eleven shillings six-pence for every bloodshedde; that the Admiral for the fishing season and the Lord's bailiff all the yeare ought to be assisted in the execution of thir offices by all the strengths in the Harbrough or Country. That whosoever is pilot to conduct any ship or barque of above ten ton out the said harbour of Baltymore through the north-west passage, without special licence first obtained from the Lord or his Bailiff, forfeiteth to the Lord five pounds sterling. That whosoever goeth aboard any ship or barque coming into the said Harbour before the Lord or his Bailiff has been aboard them, or giveth license thereunto, forfeiteth for every time, unto the said Lord, twenty-six shillings and eightpence sterling. That all waives, strays, wreacks, and felons' goods do belong to the Lord of Fee for the time being of auncient right. That the Lord hath alwayes had the ellection of the Constables, Bailiffs, and Clearcks of the Markett in that whole Country or Cantred, and given them their oaths. That there hath been alwayes, tyme out of mynde, in the town of Downesheade, otherwyse called Baltymore, a contynuall markett for all manner of wares and marchandize whatsoever. The ancestors of O'Driskoll, commonly called O'Driskollmores, have for many hundred years held all the Country of Collymore as their auncient inheritance, according to the custome of Tannystrie in this kingdome. And at this pointe Sir Fynne O'Driskoll, eldest sone to Conogher O'Driskoll, is in the possession thereof."

Sir Finghin's son, Conchobar, or Cornelius, became a captain in the Archduke's army. His grandson, an ensign in the Spanish navy, was slain in an engagement with the Turkish fleet, about the year 1618.

We find a Colonel O'Driscol among the Irish adherents of Charles I., and two colonels of the same family fell on the side of King James, during the wars of the Revolution in Ireland: the last eminent military man of the name was Le Sieur Corneille O'Driscol, Lieutenant-Colonel of the Irish regiment of dragoons, which served with such *éclat* under Count Daniel O'Mahoni, during the wars of the Succession in Spain.

In our own time, John O'Driscol, sometime editor of the *Cork Southern Reporter*, and afterwards Judge of the island of Dominica, distinguished himself by his "Views of Ireland," 1823, and his "History of Ireland," 1827, works remarkable for the liberal and enlightened views of the author, when bigotry and party spirit were the characteristics of the day.

The O'Driscols who remained in Ireland have lost every vestige of the possessions of their ancestors. The present representative of the senior branch of the clan is William Henry O'Driscol, Esq., of Stoke, near Plymouth, who became *The O'Driscol* by the death of his father, which took place while the last portion of the Celtic Society's work was going through the press.

To the southern antiquarian, this treatise on *Corca Laidhe* will be invaluable, as it contains genealogical and topographical details not elsewhere extant, relative to families and localities in the County of Cork.

The second Irish tract in the volume before us is a poem written by Gilla Brighde Mac Con Midhe, chief poet of Ulster, in the thirteenth century, on the death of his friend and patron, Brian O'Neil, King of the Northern Irish, who, with several other native chiefs, fell at Dun or Downpatrick, A.D. 1260, in a contest with the Lord Justice, Stephen de Longuespée, grandson of Henry II. and the fair Rosamond Clifford.

The poem commences with praises of the munificence of the "King of the Irish, of Ireland," in rewarding his poet's compositions by gifts of "horned cows," and other valuable presents, which were wrested by plunderers from the unfortunate bard, on the death of his protector.

In describing the battle, he tells us—

"The foreigners from London,
The hosts from Port Lairge (Waterford),

Came in a bright green body thither,
In gold and iron armour.

Unequal they engaged in the battle,
The foreigners and the Gaels* of Tara ;
The race of Conn† clad in fine linen garments,
And the foreigners in one mass of iron."

He then proceeds to recount the victories gained at different periods by the northern Irish, and the O'Neils, all of which are, in his estimation, more than counterbalanced by the defeat at "the knotty wood of Dun," which he attributes to the foreigners having used poison against his prince—a statement of questionable authenticity, as the *Annals of Innisfallen* record that Brian fell by the treachery of his followers; a fate which was shared, in the succeeding year, by his victorious adversary, Stephen de Longuespée.

As a further illustration of the battle at "the red hill of Downpatrick," we are given, in the supplement, a poem of thirty-one ranns or stanzas, in which the bard, Ferghal Og Mac an Bhaird, or Ward, bewails the loss of his foster brothers, the O'Cathain or O'Canes, who fell in the battle with Brian O'Neil. This composition contains several pathetic passages, especially where the poet details the youthful sports in which he was used to engage with his friends, "giving," as the editor remarks, "a pleasing illustration of the sort of intimacy which subsisted between the Irish chieftains and their foster brethren." The strict and affectionate observance, among the Irish, of "kindly gossip law," has, we may here observe, been a matter of surprise to all English writers on this country, from Cambrensis to Sir John Davys. The latter considered that "Gossipred and Fosterage" operated seriously in delaying the final reduction of Ireland to the superior force of Britain.

Independently of their historic interest, the poems on the Battle of Dun, now printed for the first time, are valuable as specimens of the Irish language in the thirteenth century, the date of their composition.

* Gaels (Gaedhil) the Irish.

† The race of Conn, i. e. descended from Conn of the hundred battles, monarch of Ireland in the second century. The above statement confirms the passages in Cambrensis and Polydore Virgil, stating that the Irish used to fight without armour, which they considered an incumbrance.

In the introduction to this volume, we find a fac-simile engraving of the seal of Brian O'Neil, which was discovered some time since at Beverley, in Yorkshire. It represents "a mounted cavalier, with a very long sword drawn in his hand, round which is the following inscription—S. BRIEN REGIS DE KENEL EOGAIN." This seal is now in the museum of the Royal Irish Academy, where all such relics should be deposited.

The family of De Burgh, or Burke, was founded in Ireland by William Fitz-Adelm de Burgh, ancestor of the Earls of Clan-Rickard, who obtained from Henry II. grants of a large portion of Connacht, which were afterwards confirmed and extended to his descendants by succeeding kings. On the death of William, third Earl of Ulster, in 1333, without issue male, his lands were seized by his relatives, who, taking the name of Mac William, renounced the English government, and embraced the Brehon law and Irish customs. So Irish did they become, that they were regarded as natives by the new English settlers, and in no family do we find such a number of Irish soubriquets indicative of the personal peculiarities of the individuals to whom they were applied.

In the year 1584, Sir Richard Bingham* was appointed governor of Connacht, the province of the Burkes, who "had ever been a verve badd and loöse people, such as verve hardlye contynned themselves two yeares together within a due compasse of obedience." Sir Richard, according to Camden, was "a gentleman of an ancient and noted family in Dorsetshire, but more eminent for his experience and behaviour in the camp. For he had carried arms with distinction at the battle of St. Quintin, at Conquet, in Bretagne, in the Hebrides, at Leith, in Scotland, in the isle of Candia, against the Turks, and likewise in France and the Netherlands." His first service in Ireland appears to have been at the massacre of the Italians, at Dun-an-Oir, in Kerry, A.D. 1580; an event which, although well authenticated, has been lately made the subject of "historic doubts," by an ingenious writer in the *Gentleman's Magazine*.

* Fuit hic Binghamus homo sæuus et scelestus, prout id Hibernis passim notum, præsertim in Provincia Conatiæ, in qua is ante bellum hoc exortum, aliquot annis Præses. Ac præter alia sævitæ suæ scelera, pro lusu isthic illic ac ludibrio, quos ipsi iniurijs lacessitos ad protectionem seu defensionem sui coegerat; postea datis literis (quas protectionis vocant) ad colloquium invitatos, suspendi curavit cum eiuismodi literis inter collum et laqueum eis appensis, quasi vero, promissa eis securitas, in hoc serveretur, quod sic istæ literæ protegerent eos à laqueo.—*Comments. de Regno Hibia.* 1632, 404.

Peter Lombard, and other Irish writers agree in representing Bingham as a sanguinary monster. For this they probably had good reason, as, at his first session, held at Galway in 1586, he hung seventy persons.

His attempts to abolish the old customs, and "to take awaye the greatnes of the Irishe lordes, with their names, Macks and Oes," together with the severities he exercised, soon drove the Burkes into rebellion; "and, according to their ould accustomed manner, ever by them used in all their discontents, they took up their weapons, and armed themselves against the state; and the more to make known their trayterous and wicked purposes, they proceeded agaynst hir Maiestie in most odious and undutifull speeches, sayinge: what have we to do with that *Caliaghe*?* How unwise are we, being so mightie a nation, to have lived so long subject to a woeman; the Pope and the King of Spayne shall have the rule of us, and none other."

To aid them in this revolt, they called to their assistance a large body of Scots, under the command of the Campbells and Mac-Donalds, who, after remaining in the country for upwards of fourteen days, were surprised and routed in the night time by Sir Richard Bingham, who had cautiously avoided coming to a pitched battle with them.

"This overthrowe was greate, and the Paynes and Pollecyes therein taken and vsed, greate, but the services in Mayo; the watchinge and travells at the streights, before the Scotts came into the Countrey, was much more greater. But the wonderfull care and industrye of Sir Richard in those services which contynueth out in it xiiiten. or xiiiiten. weekes together, not once commeing home to his howse in that tyme, and ffearinge hardlye, and Lyeinge on the grounde and on strawe a greate parte of the said tyme, was to be noticed and in him Higheleye Commended, yea, over and above all this, Although he erected three severall Companies of footmen, each of them consisteing of a C. men, with their Offycers and certayne Horsemen, which contynued in paye dureing all the saide Tearme, Besides v. or vic. Kearne, which alsoe had paide over and above hir Majestie's Allowaunce; yett he soe handled the matter, that with the goodes of Rebells, which by stronge hand he gatt ffrom them, And with iii. or iiiic^l. of his moneye, he

* *Caliaghe* (properly *Cailleach*), a hag. These "graceless imps," as the Burkes are styled by Vowell, used to call Elizabeth, *Cailleach Granda*—the ugly hag."—*Hardiman's "Iar Connacht."*

deffrayde the extraordinary expences of the saide servyces, not chardginge hir Majestie with any one groat thereof, or any of the Subjects of the Countrie, eyther ffor Victualls or any other thinge, other then some small matter which the ryseings out brought, or which souldiers in commeing to him or goeing from him eate, where they came for a night in a Place ; yea Hee Chardged himself in this Case, that being scanted of powder from hir Majestie's stoare in Dublyn, he was dryven to furuish himselfe thereof ffor his readye monye in Gallowaye.

"Lastlye, his servyce was suche as drowned and Cutt off all the ould Beaten Scotts which vsed to haunt Ireland, in so muche that new it is saide there are not xthe. such to Beare vpp Heade in all the Realme of Irelande, to the greate Behooffe and Comfforte of the same, to the great ease and Benefitt of her Majestie, and to the eternal Commendations of this worthie Gentleman, Sir Richard Bingham for ever."

The events above referred to form the subject of the relation of Sir Richard Bingham's services in Connacht, as printed by the Celtio Society. It is, indeed, a most circumstantial narrative, all the details being given with the minuteness of an eye witness.*

This is but an episode in Sir Richard Bingham's career in Ireland. Notwithstanding his cruelties, and the unanswerable complaints preferred against him by the Irish, he was continued in his command till the English government found it their policy to withdraw him in 1596, owing to the junction of Hugh O'Donnell with the Burkes, and the threatening position of France and Spain. On

* The following passage may be adduced to prove the veracity of the relation here printed:—"And although I doubt not but you houlde a good opiuyon of my playne and impartiall penn in like matters, yet for the better credit of the truthe thereof, I send you this discourse, confirmed under the handes and testimonyes of divers captaynes and gentlemen which were ymployed on the said service." The editor states that he has been unable to discover who this "good and right deare ffriend" of the author's was. We are of opinion that John Stowe, the antiquarian, is the person alluded to; and it is probable this account was drawn up for his use. He certainly availed himself of it in his "Annals," edit. 1632.

Dr. O'Donovan does not appear to have been aware that the Bingham had a principal share in procuring the condemnation of Brian na Murtha O'Ruarc, in 1591. One of the accusations against him was that of confederating with the Burkes in the revolt above noticed. A copy of the "Deposition of Sir Richard Bingham, touching the Thirty-two Articles against O'Rourk, latelie sent over into England," may be seen, with a *fac simile* of Bingham's autograph, in the "Egerton Papers," and will tend to throw light on the various evidences collected by Dr. O'Donovan, in his notes on O'Ruarc's death, in the last edition of the "Annals of the Four Masters," page 1905.

The following anecdote is taken from "Merry Passages and Jests" of Sir Nicholas L'Estrange:—"Sir Richard Bingham was a man eminent

the defeat and death of Marshal Bagenal, at the battle of Ballabewee, in 1598, Bingham was selected to fill the vacant post of Marshal of Ireland and General of Leinster, but died on his arrival at Dublin, in the same year. He left no male issue: the present Earl of Lucan is descended from the eldest son of Sir Richard's brother, George, who was slain in the Castle of Sligo by Ulick Burke, son of Redmond, surnamed "the Ravager."

The last tract in the Society's volume is entitled, "A Narration of the Services done by the Army ymployed to Lough Foyle, under the leading of Mee Sir Henry Docwra, Knight; Charles Lord Mountjoy being then Lord Deputie (afterwards Earl of Devonshire, and Lord Lieutenant) of Ireland; togeather with a Declaration of the true Cause and Manner of my Coming Away and Leaving that Place. Written in the Sommer, 1614, and finished the first of September the same year."*

Although the author of this narrative tells us that he served for twenty-one years in the Irish wars of Elizabeth, his name is not familiar to many students of our history. Of his pedigree nothing certain is yet known to us; but he was probably of the same family with Sir Thomas Docwra, Grand Master of the English branch of the Knights of St. John of Jerusalem, in the reign of Henry VIII. We possess no detailed account of Sir Henry Docwra's services in Ireland before 1599, in which year he was created, by letters patent, "Chief Commander and Governor of all Her Majesty's Forces of horse and foot appointed to reside at Lough Foyle and the parts thereabouts."

Up to this period the native Irish held possession of the town of Derry,† together with the circumjacent country. The importance of forming a settlement there had long been recognized by the Eng-

both for spiritt and martiall knowledge, but of very small stature; and, understanding that a proper, big-boned gentleman had traduced his little person or corpusculum with the ignominious terme of 'dande-pratt': 'Tell him from me,' says he, 'that when it comes to the tutch, he shall find there is as good silver in a dande-pratt (which is a very small kind of coyne) as in a broad-fac't groate.'

* This document was not known to be in existence until Dr. Petrie discovered it in the hands of a London bookseller. It is now in the library of the Ordnance Survey Office, Mountjoy Barrack, Phoenix Park.

† The original Irish name of Derry was *Doire*, signifying a forest, or place planted with oaks. O'Sullivan calls it in Latin, "*Lucus*."

lish government, and was now rendered more imperative by the hostile proceedings of the northern chieftains. "How often," writes Elizabeth to the Earl of Essex, in 1599, "have you resolved us, that until Loughfoyle and Ballyshannon were planted, there could be no hope of doing service upon the capital rebels?"

This "planting" was destined to be accomplished by Sir Henry Docwra, who with a force of 4000 foot and 200 horse, on the 16th of April, in the year 1600, entered the harbour of Lough Foyle, effected a landing at Culmore,* and in six days afterwards took Derry without opposition. Having obtained possession of the place, he proceeded to the erection of fortifications, which he tells us was accomplished in the following manner:—

"The two shippes of warre, therefore, (the Countrie all about vs being wast & burned,) I sent with souldiers in them to coast all alonge the shoare, for the space of 20 or 30 myles, & willed wheresoeuer they found any howses, they should bring a way the Timber & other materialls to build with all, such as they could; and O'Cane hauing a woode, lying right over against vs, (on the other side of the River,) wherein was plentie of old growne Birch, I daylie sent workmen with a Guard of souldiers to cutt it downe; & there was not a sticke of it brought home, but was first well fought for; A Quarrie of stone & slatt wee found hard at hand, Cockle shells to make a Lyme, we discouered infinite plentie of, in a little Iland in the mouth of the Harbour as wee came in, and with those helpes, together with the Provisions wee brought, and the stones and rubbidge of the old Buildings wee found, wee sett ourselues wholie, and with all the diligence wee could possible to fortifying & framing, & setting vpp of howses, such as wee might be able to liue in, & defend ourselves when winter should Come, & our men be decayed as it was apparant it would be: And whether this was the right Course to take or noe, let them that sawe the after Events be the Judges of."

Thus was founded the important town of Derry. These original buildings were, however, destroyed by the revolt of Sir Cathair O'Docharty, in 1608, and the present town may be considered to have derived its plan from the Londoners' plantation which immediately followed that event.

The great object sought to be attained was the termination of the expensive war, by the reduction of Hugh O'Neil, Earl of Tyrone; all attempts at which would, perhaps, have been futile, had they not

* *Cuil Mor*—the Great Angle.

been seconded by the treachery and disunion* of the native Irish, which brought many discontented men into the English camp, deluded by alluring promises of future recompense. Of these traitors, the most important was Nial O'Donnell,† better known by the sobriquet of "*Garbh*," or "the Róugh." "His coming in," says Docwra, "was very acceptable at that time, and such as wee made many uses of, and could ill have spared." And again, speaking of the assistance derived from these Irish renegades, he tells us that without it "I must freeilie confess a truthe, it had been utterly impossible wee could have made that sure and speedie progress in the warres that afterwards we did." "Woe is me!" exclaims the Irish chronicler of these events, "that the heroes of Cineal-Conail were not united in fight on one side against their enemies, and that they were not at peace; for while they remained so, they were not banished or driven from their native countries, as they afterwards were."

The defeat at Kinsale in 1601, gave a final blow to the hopes of the Irish. A few days after the news of this event reached Ulster, "Ballyshannon, that long desired place, was taken by Captain Digges with less than a tenth part of the charge which would have been wil-linlie bestowed upon it, and the consequence thereof brought many furtherances to the generall service." "And now," continues Docwra—

* But for the disunion of the native chiefs, the reduction of Ireland would have been a difficult task. In allusion to this, an old poet tells us—

"Ah! had heaven never sent
Discord for our punishment,
Triumphs few o'er Eire's host
Had Clan-London now to boast."

"'Twas the want of right command—
Not the lack of heart or hand—
Left your hills and plains to-day
'Neath the strong Clan-Saxon's sway."

—*Address to the Clans of Wicklow, translated by S. Ferguson, M.R.I.A.*

† P. O'Sullivan describes Nial Garbh as "a high-spirited and brave man, well skilled in the art of war." He was married to Hugh O'Donnell's sister, Nuala (i.e., the fair shoulder'd), who deserted him when he went over to the English. She accompanied her brother to Rome in 1606, and it was to her that Eoghan Ruadh Mac an Bhaird, or Ward, the Bard of O'Donnell, addressed that exquisite elegy—"A! bhean fuair faill air an ffeart!" which Mangan so beautifully versified as—"Oh! woman of the piercing wail!"

“ Had I a good while before entertayned a partie, that vndertook to deliuer mee Tirlogh Magnylson (that betrayed the Castle of Newtowne) together with as many of his men as were Guiltie of that bloodie treason. either deade or alieue. They protracted time as I thought, yet it was not full 4 moneths, after they had vndertooke it, before they had kild many of his People as they had trauelled single vp & downe in the Countrey, & noe man knew who did it, some of them alsoe came into my hands alieue, whome I caused the Souldiers to hewe in peeces with their swordes; & nowe at last hee himselfe alsoe was lighted vpon; His custome was alwayes (for feare of betraying) to goe forth alone in Euenings, & in some old house or other in the wood, kindle a fire and make as though he ment to lye there, after a while remoue & and do as much in annother, & so from house to house 3 or four times or more perhapps as his minde gaue him. A Boy was sent to watch him, who often brought these Men word where hee was, but still when they came they missed, & found hee was gone to some other place, yet in the end hee dogged him soe close, that after diuers removes, he lookt in & saw him pull of his trowes, and ly downe to sleepe, then came & tould them of it, & fower of them together armed with Swordes, Targetts, and Murrians, fell in vpon him, hee gat up his Sword for all that, & gaue such a Gash in one of theire Targetts as would seame incredible to be done with the arme of a Man, but they despacht him & brought mee his heade the next day, which was presentlie known to eury Boy in the Army, & made a ludibrious Spectable to such as listed to it. I gaue them a good some of money in hand for theire Reward, & promised, the wars ended, they should enjoy such lands as they & theire Septe had beene accustomed to dwell vpon, & assurance of favour & protection from the state.”

Shortly after this—

“ Sir Arthur Chichester came ouer at Lough Sidney (Lough Neagh), and landed 1000 Men at that place, where he presentlie erected a forte, which had afterwards the name giuen it of Mountioy, & my lord hauing gayned his passage before and erected another at Blackwater, which he called by the name of Charle Mount, the axe was now at the roote of the tree, and I may well say the necke of the Rebellion as goode as vtterlie broken; for all that Tyrone was afterwards able to doe was but to saue himselfe in places of difficult access unto.

“ Ten days (as I remember) I stayed with his lordship in these partes, assisting him to spoyle & wast the Countrey, which he endeauored by all the meanes he could possible to doe, & then, my prouision of victuell spent, hee gaue mee leaue to retourne, with order to be in a readines againe to meete him about a Moneth after.”

The lure used to seduce Nial Garbh from his countrymen was a

promise of the earldom of Tirconnell. The following account of his conduct at this period is curious and characteristic:—

“ Neale Garvie (as I said before) had a longe tyme carryed himselfe discontented, estrainged himself from mee, and liued altogeather in those partes about Ballyshannon, & it is true those seruices he had done, alwayes dulie acknowledged, I had very often and very bitterlie Complained of him to my lord, & my Reasons were these: Hee did openly & contynuallie contest with Mee to haue the people sworne to him and not to the Queene; To haue noe officer whatsoeuer but himselfe in his Countrey; Hee would not suffer his men to sell vs their own goodes, nor worke with vs for Money, nor till or sowe the ground any where neare vs, nor yeald vs any carriages for the Army, as O'Doghertye and all other that were vnder the Queene did; yea hee hath taken Cowes from his People under noe other Colour but because they haue come to Mee when I haue sent to speake with them; Diuers stealthes haue beene made vpon vs, whereof it hath beene proued he had his shaire, & nothing more Comon with him, than to receiue & conceale Messengers from Tyrone, & O'Donell, & when he hath first denied it, & afterwards had it proued to his face, his onelie excuse was, he refused their offers. Hee would not endure that any Man of his Countrey should be punished for any Cryme, though neuer soe haynous, & manifestly proued; but take it as the highest iniurie could be done vnto him. His Entertainements were about 12£ a day, for himselfe and the Men hee had in pay, & and yett would muster but when hee list, and sometimes absolutelie not at all; Many Misdemeanors there were in him of this kinde, & many friendlie persuations haue I vsed to reforme them, that done, his greatnes in the qualitie of a subiect I neither did nor had reason to envie. Now it fell out that my lord wrote for Rorie O'Donnell to come to him to Dublin; Hee being in Connaught, desires first to putt ouer his Catle into Tirconnell, which would otherwyse be in danger in his absence to be preyd by those of that prouince that yett stood out in Rebellion; my lord gives him leaue, & writes to Neale Garvie that he shall not molest nor trouble them, & soe Roory takes his journey. Hee was noe sooner gone, & the Catel putt ouer, But Neal Garvie, notwithstanding my lord's Comaund, Ceizes them as his owne, vnder pretents they were the goodes of the Countrey belonging vnto him. Complainte made, my lord writes to mee to see them restored; I send vnto him & hee refuseth. My lord upon that bids mee discharge him of his Entertainements, and writes vnto him without delay to come to him to Dublin. Hee growes more discontented, and deferres his going. Thus it runnes on for at least 3 monethes together, & neither would he come to Mee nor my lord, nor by any meanes be perswaded to make Restitution. In the ende hee assembles of his owne auctoritie all the Countrey att Kilmackoran, [Kilmacrenan] a place where the O'Donnells vse to be chosen; There takes vpon him the title, & with the Ceremonies accustomed, pro-

claymes himself O'Donell, & then presentlie comes to Mee to the Derrey, with a greater troupe of attendances than at any time before, & they styling at him euery word my Lord. As soone as I sawe him, I asked him howe he was thus suddenlie stept into the Name of a lord : hee tould Mee they called him so because he was O'Donnell. I asked him by what auctoritie he was soe, & hee said by my lord Deputiee ; I badd him make that appeare vnto Mee & all was well. Hee pluckt out a lettre vnto him from my lord about two yeares before, Superscription whereof was this, 'To my very loving friende O'Donnell ;' I asked him if this were all the Warrantee hee had, & hee said yes. I asked him why hee went not to my lord all this while, nor came vnto Mee sooner, nor restored Rorie O'Donell's Catle. His aunswere was this ; you knowe the whole Countrey of Tirconnell was long since promised Mee, & many seruices I haue done, that I thinke haue deserued it, but I sawe I was neglected, & therefore I haue righted myselfe, by takeing the Catle, & People, that were my owne, & to preuent others, haue made myselfe O'Donnell ; now by this meanes the Countrey is sure vnto Me ; & if I have done any things amisse, lett all be pardoned that is past, & from this day forward, by Jesus' hand, I will be true to the Queene, & noe Man's Councell will I follow hereafter but yours. You take a wrong Course, said I, it may not goe thus, the first act you must doe to procure forgiunes for your faults (if it may be) is to make restitution of the Catle ; if you doe it not of your owne accord, I knowe yow will be forced vnto it vpon harder Conditions. Yet at that time nothing I could say would preuaile with him, & soe he departed downe into the towne ; And of all these manner of Proceedings I writt vnto my lord : But it is true the next day hee came & made offer to restore them, & I was glad of it, & sent for Rory O'Donnell (who was then at the Liffer) to come & receiue them, & my thoughts were fullie bent to make the best Reconsilation of the Bussines that I could. Roory came but with open Clamour, that Neal Garvie had laide a Plott to murder him by the way, & it is true, if the Confession of 3 of his owne Men may be beleueed, he was the Night before in Consultation to haue it done, but did not (as they say) Resolue vpon it ; but this put all the Bussines out of fraime, for then could wee get Roory to noe kinde of Patient Conference, & in the meane time came lettres from my lord to this effect, that hee had now taken in Tyrone, & was fullie resouled to beare noe longer with Neal Garvie, and therefore if I were sure he had made himselfe O'Donnell, it was treason by the lawe, I should hould on him and keepe him safe. My lord, I was sure, was mistaken in the qualitie of his offence, for I looked vpon the Statute Booke, & sawe that Rigerous lawe was onelie for such as made themselues O'Neales, for those that looke vpon them to be heads of other families, the Punishment was onelie a Penaltie of 100 marks. I pawed therefore & was doubtfull with myselfe, whither by this Misgrounded warrarrant I should doe well to restrayne him or noe. But while I stood aduising vpon it, Came other lettres of aduertisement of the Queene's death, & order to Proclame the kinge. Then I

entred into a further Consideration, should this man take the aduantage of the time, & knowinge he hath offended the state, stepp aside & take Armes, thinkeing by that meane to make his owne peace, how should I aunswere it, that haue him now in my hands, and my lord's warraunt to make him sure? Againe what a Blemish it would be to all my actions, if the kinge, at his first Coming in, should find all the kingdome quiet but onelie this litle parte vnder my Charge. This moued Mee (to send for him) Presentlie, & when hee came I told him the Newes of the Queene's death. Hee seemed to be sorrie for it. I told him of the Succession of the kinge, then ame vndone sayeth hee, for Roory hath better friendes about him then I. That speach encreased my iealousie, & and therevpon I told him further I had order from my lord to restraine him of his libertie. Then ame I a dead man, saith hee. I toulde him noe, hee needed not fear any such matter; neither his life nor landes were yet in danger; his offence was a Comtempte onelie, & hee must be brought to acknowledge a higher Power than his owne. The Marshall offered to putt Boults on him; hee sent vnto mee and desired hee might not be handled with that indignitie, protesting with many oathes he would nott offerr to flie away. I bad the Marshall forbear, & hee desired then I would allowe him a guard of a dosen of Souldiers to looke to him, & soe I did. Then did hee seriouslie (as I thought) acknowledge his follye, promised faithfullie to doe nothing hereafter but by my Councill. I told him if hee did soe, let him not not feare, his Cryme was not Capitall, & and that he might well see by his vsage, for hee had libertie to walk vp & downe in the towne with his guard onelie. Hee seemed wonderfull thankfull for it, & my intentions were now wholie bent to doe him all the good offices might lye in my Power, but the third day after hee had been thus Restrained, hee secreetlie caused a horse, to be brought to the towne gate, & noe man suspecting anythinge, hee sudainlie slipped aside & got vp vpon him, & soe made an escape. Word being brought vnto Mee of it, I was then, I confess, extreamlie irritated against him, & castinge about what to doe, presentlie coniectured hee would go to his Creaghtes, that lay about 8 Myle from the Liffer, and with him gett downe to the Bottome of Tyrconnell towards the Ilands, where I knewe was the greatest strenght hee could goe to, & furthest (of any other) out of my reach. Therefore I sent first to Captaine Ralph Bingley that lay at Ramullan, fitt in the way to cross his passage, that hee should speedilie make out to stoppe him till I came, which should be so soone as I could, & then to the Garrison att Liffer, that they should follow him, to whome Roory O'Donnell (being there at the time) readily wynded himselfe as glad of soe faire an opportunitie to aduance his owne endes by. I was not deceiued in my Coniectures, & soe by that time I had writt these lettres, made ready the Souldiers to go with Mee, was past over Lough Swilley by boate, & had marched some 7 or 8 Myle, I mett with the Newes that our men had ouertaken & beate him, gott possession of the Cowes, which he fought for

& defended with force of Armes as long as hee was able (& were estimated to be about 7000,) & that hee himselfe was fled into Mac Swyndoe's Countrey, with a purpose to gett into Owen Oge's Castle, which was reputed to be the strongest in all the North. I had then Owen Oge in my Companie, & to preuent him Required he would deliuer it to Mee, & soe hee did, onelie requesting he might haue it again, when the Garrison I should put in it, should be withdrawne, which I gaue my word vnto hee should; & then seeing himselfe preuented of a place to retire vnto, spoyled of all his goods, & nothing in the world left him to liue vpon, hee sent vnto me for a protection to goe safe unto my lord Deputie, & taking his Brother for his Pledge, & his oath besids, that he would goe and submitt himselfe wholie to his Judgement, I was contented and gaue it to him, put the Pray wee had taken from him upon Roory O'Donnell's hand, because hee should not haue that pretense to say I had driuen him out of purpose to make Prey of his goods, & soe promised to be there ere longe to meete him; for nowe I had receiued diuers lettres againe, one that my lord was purposed shortelie to goe for England; that his Maiestie (by his recommendation) was pleased to call Mee to be one of the Councell of Ireland, & and that hee would haue Mee to come speake with him before his departure; annother to Comaund mee to suffer the Earle of Tyrone's Men to retourne to their landes, & especially to the salmon fishing of Lough Foyle, which till this time I had enioyed, and was promised the inheritaunce of, as a part of the reward for my seruice; And annother for restitution of Castles, Tennements, Catle, & many other thinges vnto him which altogeather gaue mee occasion presentlie to prepaire myselfe to that iourney."

Nial suffered the fate merited by those who traffic with the enemies of their country: he was cast into the tower of London, where he died, after a confinement of eighteen years.

The Earl of Tyrone having been reconciled to the English government in 1602, after carrying on a war, which, in its last year alone, had cost the state considerably more than two-thirds of the total annual revenue of England,* the politic Mountjoy saw how necessary it was, for a time, to maintain, at least, an appearance of friendship with the formidable chieftain, even at the expense of others. Docwra was thus obliged by the Lord Deputy to surrender such of his lands as were claimed by O'Neil; nor was he even allowed the means of recompensing those Irish who, on the faith of his promises, had betrayed the cause of their countrymen. One of those deluded persons was O'Cane, an Ulster chief, whose case was thus argued with Mountjoy by Docwra:—

* *Macariæ Excidium*, by J. C. O'Callaghan.

"Then touching O'Caine, I tould him (Lord Mountjoy) how the Earle of Tyrone had sent men to be cessed vpon him, & how hee refused them; Sr Henry Docwra sayeth hee; My lord of Tyrone is taken in with promise to be restored; aswell to all his lands, as to his honnor of Dignitie, & O'Caine's Countrey is his, and must be obedient to his Comaund. My lord, said I, this is strange & beyond all expectation, for I am sure your lordship cannot be vnmyndfull, first of the agreement I made with him, wherein he was promised to be free & to hould his landes from the Crowne, & then your lordship ratified and approued the same vnto him vnder your own hand, haue iterated it again diuers and diuers times both by word of Mouth & writing, how shall I looke this man in the face when I shall know myselfe guilty directlie to haue falsified my word with him; Hee is but a drunken fellowe saith hee, and soe base, that I doe not think but in the secreete of his hearte, it will better Content him to be soe than otherwise, besides hee is able neither to doe good nor hurte, & wee must haue a Care to the Publique good, and giue Contentment to my lord of Tyrone, upon which depends the Peace and securitie of the whole kingdome. My Lord, said I, for his drunkenness and disabilitie to doe good or hurte, they are not here to come into Consideration, and for his inward affections, what they are I know not, But sure I ame hee makes outward shewe, that this will be very displeasing vnto him, and the manifest, and manifoulde benefitts hee shall receiue more by the one than the other, are to my vnderstanding sufficient arguments to make mee thinke hee doth seriouslie incline to his owne good, & with your fauour, what good can ensue to the Publique by a direct breach of Promise whereof there is so plain and vdeniable Evidence extante vnder our hands, it passeth my vnderstanding to Conceiue. Well sayeth hee againe, that I haue done was not without the aduise of the Councell of this kingdome, it was liked of & approued by the lords in England, by the Queene that is dead, & by the king's Maiestie that is now liuing, & I am perswaded not without good & sufficient Reason; It may not be infringed, but if you can think upon any course to Compase it in some good fashion that I be troubled noe more with it, I shall take it as an acceptable kindnes; But howsoeuer, By God, sayeth hee, O'Cane must & shall be vnder my lord Tyrone. I then tould him I had noe more to say, though I were not soe fullie satisfied as I could wish; yet he should see my will was, and should be obedient & Conformeable to his let it be soe, sayeth hee, & you shall doe mee a pleasure."

* * * * *

"In the meane time he being gone, my lord Hugh (the Earle of Tyrone's eldest sonne) & I went home together, & when wee came to the Derrey, I sent for O'Caine, & told him what my lordes pleasure was touchinge him; He beganne presentlie to be moued, & both by Speech & gesture; declared as earnestlie as was possible, to be highlie offended at it, argued the matter with mee vpon many pointes; protested his fidelitie to the state since he had

made profession of it; asked noe fauour if any man could charge him with the Contrarie, said he had alwayes buyilt upon my promise & my lord Deputie's, that hee was nowe undone, & in worse case than before hee knewe vs, shewed many reasons for it, & asked, if wee would claim him hereafter, if hee followed my lord of Tyrone's Councell though it were against the kinge, seeing hee was in this manner forced to be vnder him; In the end, seeing noe remedie, he shaked handes with my lord Hugh, bad the Devill take all English Men & as many as put theire trust in them,* & soe in the shewe of a good reconciled frenshipp they went away togeather."

Finding all his engagements broken through in a similar manner, and seeing no prospect of obtaining any reward for his past services, he retired into England, having sold to George Pawlett, a gentleman of Hampshire, his house, with ten quarters of land, and his company of foot, for less, as he says, "than the very house alone had stood him in." He thus recapitulates his services:—

"Let the reader, if hee please, now enter into Consideration, and lay togeather before him, the some of all that which is written before, Imagining withall, that he now sees A towne at the Derrey (for soe there was) built with little or noe charge to the Queene, able, beside the houses, for stowage of Munition & victuell sent by the state, to lodge convenientlie (in those erected by our owne labour and industrie onelie) a 1000 Men with theire officers; hee shall see besids where wee landed on the 16th of May 1600, & found not soe much as a drie stick to succor our selues, with or vnder, the rest of the Countrey abounding with howses, Corne, Catle, & and a People that had been bredd vpp in armes, flusht with former victories, & inritchd with the spoile of the rest of the kingdome; Now that part wee held, onely replenished with such Corne and Catle as was left, the People reclaymed to obedience quiett & safe vnder our protection, & the rest desolute & waste, the People vpon it brought to desperate Extremitie, and enioying nothing but as fugitiues, & what they troad vpon by stealth; let him alsoe Consider what Castles and places of strength I haue gott and maintayned, noe one of them lost agayne for want of victuelling or other prouident care, noe disgrace taken by the Armye, nor soe much as a parte of it at any time beaten in the field: And when last of all, that nowe on the 24th of March 1602 (for on that day was Tyrone taken in) the business done that wee came for, & the Warre happilie & gloriouslie ended; And as annother, writing a discourse vpon the Battaille of Kinsale, where my lord worthylye gayned himselfe Eternall honnor (and yet had his actions depraued as well as I myne) tooke occasion to make Comparison of the state of the kingdome as it then was, with that it was at his first Cominge, & saide of it (in his behalfe) as one

* A copious commentary on this passage may be supplied from the notes of Mr. O'Callaghan's valuable work, referred to at page 216.

argument for all against Enuious and detracting tongues, *Quantum mutatus, ab illo*; May not I from that I founde it in (without flattery to myselfe or vaine ostentation) say as much of the state of this parte of it Committed to my charge. Let Mallice accuse me if I haue spoken vntruth, & then I refuse not the Judgement of any that is Ingenious.

"I could speake of a great many more workes that we did, whereof the Countrey can not but afford a Memory to this day; But my intent was from the begininge to touch onely the principall thinges, & no more."

Shortly after the writing of his "Narration," Docwra, whom the Four Masters style "an illustrious, wise, and prudent knight," was recalled to Ireland; and in 1617 appointed treasurer at war. In 1621 he was advanced to the peerage, under the title of Baron of Culmore, and died in the year 1631.*

He was succeeded in the baronetcy by his son, Theodore, in whose person the title appears to have become extinct.

"There are many persons," says Dr. O'Donovan, "of the name Dockrey in the county Roscommon; but they are of the sept of Sil Murreadhaigh (Murray), and are really O'Docraidh, or O'Dockreys."

The value of historical autobiography has long been recognised, yet in this interesting department Irish literature is singularly deficient: Docwra's "Narration" of the affairs at Lough Foyle must be considered as a most acceptable and valuable addition to our scanty published materials for a history of that important event—the English settlement in Ulster.

We have thus endeavoured to give an abstract of the contents of the Celtic Society's "Miscellany," which we can with confidence recommend to all students of Irish history, as containing information they will vainly seek elsewhere. Dr. O'Donovan has performed the task of editor with discrimination; his notes, as usual, exhibit a vast

* The date of Sir Henry Docwra's death is not to be found in any historical or biographical work. We have given it above from an inquisition taken at Dublin in September, 1633. Mr. John Burke, in his "Extinct Peerages," tells us, that the title of Culmore became extinct shortly after 1621; and was not aware of the fact that there was a second Baron of Culmore, in the person of Sir Henry Docwra's son, Theodore, who was living in 1639. There appears to have been some of the family in Ireland in the early part of the eighteenth century, as Sam Kent, in his "Grammar of Heraldry," 8vo., London, 1716, gives the arms of "Dockwray of Ireland—*Sa. a chev. engr. between three plates, each charged with a pallett of the first.*"

amount of historical research, and that intimate acquaintance with our unpublished historical treasures, in which he stands unrivalled.

We have now merely to offer our readers a few concluding remarks, which are, we consider, called for by the subject under consideration.

The school of sound native history has been, as we have shown, founded in Ireland, and the erudition displayed in the works which have resulted from its silent but effective labours, have rendered our literature respected throughout Europe; still, we regret to say, adequate means are wanting for the publication of the larger and more important Celtic manuscripts.*

The majority of our so-called upper classes are sufficiently indignant when malignant ignorance reproaches them with being natives of a "country without a history;" yet, with a strange inconsistency, they seem not to consider themselves called on to remove this stigma, by seconding the efforts now making by the Irish Archaeological and Celtic Societies.

The ministers of Elizabeth and Cromwell have been branded with merited infamy, for their attempts to extirpate the old language, and destroy the manuscripts of Ireland; yet in this they only carried out the policy of their governments, who ardently desired to see

"Irish memories, hopes, and thoughts, wither'd, branch and stem,"

well knowing that "the most powerful bond which attaches a people to their manners, their customs, and their sweetest associations, is the language of their fathers. The deepest humiliation to which they can be subjected, is to be compelled to forget it, and to learn another tongue." †

How much more culpable than those foreign hirelings are we, who unconcernedly behold the monuments of the early literature and civilization of *our* country hastening rapidly to decay, without availing ourselves of the learning and researches of those few Celtic

* Such are the "History of the Wars of the Irish with the Danes;" a manuscript long sought for and lately recovered; the "History of the Fir-Bolgs in Ireland," by Mac Fírbis; the "*Tain-bo Cuailgne*, or account of Civil Wars between Ulster and Connacht;" the History of the Tribute imposed on Ireland, by Brian, hence called "*Borumha*"; the "*Leabhar Gabhala*, or Book of Invasions;" with numerous others.

† Sismondi.

scholars who alone are capable of interpreting and illustrating our more ancient historic records.

It is a startling and melancholy reflection, that the removal from amongst us of the few individuals before referred to, would, in a measure, render all the more early and obscure Celtic manuscripts inaccessible and unavailable to posterity.* Much may, however, yet be achieved, to avert this no less than national calamity. In the present general spread of education and enlightenment, the time surely cannot be far distant when the desire to know "how our fathers lived, in what manner their time was passed, and how they governed their country," † will occupy the general attention of our people. We therefore trust, ere long, to see the Celtic Society enjoying that extensive support which will enable it to carry out, to the fullest extent, its noble object, of giving Irishmen a knowledge of the true history of their country. "From archæology," says the Committee of the Society, "this knowledge must come. The genius which has peopled the hills of Scotland once again with the men of the dead past, and made the Norman Conquest familiar to our

* In the seventeenth century, Dr. John Lynch wrote as follows:—

"Si nullum aliud emollumentum ex Hibernicæ linguæ cognitione perciperetur, quam ut res antiquitûs in Hibernia gestis nobis enucleatius apperiret, plurimum profecto præstaret aliquos semper superesse qui penitioris idiomatis Hibernici scientiâ imbuerentur. Quare non mediore studio Hiberniæ antiquitatis oblivione sepeliendæ illi arsisse censendi sunt, qui linguam Hibernicam abolere tantopere contenderunt. Nam sicut cæteris mortalium rebus temporis diuturnitas, sic linguis dissuetudo interitum. Numæ Pompilii libros dudum post ipsius tempora repertos, Tagis sortes, Etruscorum auguria, et lintea volumina nemo intellexit. Et Polybius tradit commenta quæ Romani primo bello Punico cum Carthaginiensibus transegerunt, ubi ducentis annis nondum elapsis eorum inspicendorum occasio ad controversiam aliquam decidendam exorta est non fuisse percepta. Simili prorsus ratione si usus idiomatis Hibernici à medio tolleretur, *ad monumentorum veterum Hibernicorum intelligentiam nullus penetrare posset.*"—*Cambrensis Eversus*, fol. 1662, 159.

The following curious passage, which we translate from the same author, is one of the many instances which might be quoted to show the strange infatuation which the old Gaelic tongue has at all times possessed:—

"Such are the charms of the Irish language, that a slight knowledge of it allures one to study it more closely. I have myself known many persons who, having acquired a little of the idiom, became gradually so delighted with it that they had Irish books perpetually in their hands, and all the influence and entreaties of their friends were required to induce them to relinquish this pleasant study for more profitable pursuits."—*Camb. Evers. ut sup.* 160.

† O'Clerigh's Dedication of the "Annals of the Four Masters."

daily knowledge, drew from such a source. To give back to the imagination the races that have flourished and passed away in our country is not the work of invention. The historian, the poet, and the artist, must collect, from the materials which the Celtic Society seeks to preserve, the colors that will give life and reality to their labors; and enable them to adorn their country with great memories and associations, which will make her dearer to her sons, and more honoured and interesting in the eyes of the world."

ART. III.—THE QUEEN'S UNIVERSITY IN IRELAND.

1. *Calendar of Queen's College, Cork*, 1851. Dublin : Hodges and Smith.
2. *Calendar of Queen's College, Galway*, 1851. Dublin : Hodges and Smith.
3. *Calendar of Queen's College, Belfast*, 1851. Belfast : Simas and M'Intyre.

WHETHER for good or evil, educational endowments in Ireland have, until late years, been charily granted to few institutions. No great universities, like those of Oxford and Cambridge, have survived to us from the times before the Reformation, when vast estates were bestowed by the pious donors for the cultivation of learning and religion. And, at the time of the suppression of the religious houses in Ireland, unfortunately no great educational monasteries existed, which might, under the plea of providing for instruction, have preserved their estates, as the English universities succeeded in doing. Yet, the Queen's University is the fifth which has been founded in Ireland, in addition to the ancient academies of which our country boasted, when she sent forth her saints to Christianize the most distant lands, and claimed to be called the island of holy and learned men. Among these mystical colleges, Armagh is reported to have had 30,000 students.

But the first Irish collegiate institution of which we have authentic record, is the college founded by Archbishop Comyn, in St. Patrick's Cathedral, and the charter of which received the sanction of Pope Celestine III. in 1191. There are few memorials of this college. Upwards of 500 years after its foundation, Dean Swift, amongst the varied schemes of his busy and active life, made some attempt to revive the right of conferring degrees, but in vain.

In 1311, Pope Clement V. at the solicitation of John Lech, Archbishop of Dublin, issued a bull for the foundation of a university in Dublin. We translate an extract from the preamble. It states, that "although some doctors, or at least lecturers in divinity, and masters of arts and grammar, were in Ireland, yet a university for scholars, or a general school, did not exist in Ireland, nor in Scotland, Man, or Norway, by reason whereof few men adorned with learning were to be found in this land. Wherefore, the said archbishop hath humbly supplicated us, that as from the said land being surrounded by the sea, no access or passage is had to any university, but through great dangers by sea, that we, out of the usual goodness of the Apostolic See, would deign to establish a general university for learning, in the city of Dublin, a place fit for such a purpose, on account of the advantages and commodious style thereof. We therefore, giving a favourable ear to the supplications of the said archbishop, and desirous that out of the said land men skilful in learning, and fruitful in the sciences, may proceed, who may be able, by wholesome doctrines, to sprinkle the said land like a watered garden, to the exaltation of the Catholic faith, the honour of mother church, and the profit of all the faithful, do, by our apostolic authority, ordain that in the said city of Dublin, if the consent of the suffragans of the said archbishop be had, a university for scholars, and, moreover, a general school in every science and lawful faculty, to flourish there for ever." There are some few traces of this university in the old annals; but it was not sufficiently endowed, and it does not appear that universities can subsist without large endowments. Campion says "it never was disfranchised, but only through variety of time discontinued, and now, since the subversion of monasteries, utterly extinct, wherein the divines were cherished, and open exercises maintained."

In 1465, in the reign of Henry IV., a Parliament held at Drogheda founded a university there, and endowed it with the same privileges as the University of Oxford. But, for want of a more substantial endowment, this too fell to the ground. These universities have left no memorials.

For five centuries after the landing of Henry II., unhappy wars desolated Ireland, left no time to cultivate the arts of peace, and threatened to destroy the last vestiges of civilization. These dark times were fertile but in injustice, violence, and treachery. Private war never ceased between the Irish septs and the English barons. Most of the country remained in the hands of the native Irish, who were excluded from all benefit in the English laws, and knew not, nor cared to know, the English language.

These universities, no doubt, prepared students for the church, and gave lectures in the civil and canon laws, but they had few scholars, and fewer opportunities of literary leisure. Besides, we are to remember, that even the vast and wealthy corporations into which the ancient universities have grown, would leave behind them but few memorials, if a period now arrived to their existence. And if Oxford and Cambridge had perished long ago, like the ancient Irish universities, they would be equally forgotten.

Trinity College was founded in 1592, by Queen Elizabeth, at the instance of Adam Loftus. This clever man, at one and the same time, was Lord High Chancellor of Ireland, Archbishop of Armagh, Lord Justice of Ireland, Provost of Trinity College, and Dean of St. Patrick's. A notable jobber was he; nor has his example been lost upon his successors. The ground upon which Trinity College is built, having been the site of the dissolved monastery of All Hallows, was granted by the corporation of Dublin. And Sir W. Fitzwilliam, Lord Deputy of Ireland, sent a circular letter to the gentry of Ireland, stating, "these, therefore, are earnestly to request you, having for your assistant such a person as the sheriff of that county shall appoint for his substitute, carefully to labour with such persons, within his barony, having made a book of all their names whom you think can or will afford any contribution, whether in monie, some portion of lands, or anie other chattles, whereby their benevolence may be shewed, to the putting forward of so notable

and excellent a purpose as this will prove to the benefytt of the whole countrey, whereby knowledge, learning, and civility, may be increased, to the banishing of barbarism, tumults, and disordered lyving from among them, and whereby ther children, and children's children, especially those that be poore, as it were in an orphents hospitall, freely, maie have their learning and education given them with much more ease and lesser charges, than in other universities they can obtain it."

Collections were similarly made in every part of the country which was in possession of the English. Sir Richard Bingham collected £200 from the county and city of Galway. The freeholders of Cork agreed to contribute in proportion to their freehold. Altogether, £2,000 was collected, which may be considered equal to about £14,000 of the present currency. Trinity College was opened for students in 1593. At first there were only, by the charter, three fellows and three scholars. And we find that, at a grand commencement held in 1616, three doctors in theology, three bachelors of divinity, fifteen masters of arts, and seventeen bachelors of arts, took their degrees. This shows how small, at that time, must have been the number of students.

William Bedell was appointed Provost of Trinity College in 1627. He procured the charter 13 Car. I., by which the number of fellows was fixed at seven, and their office made tenable for life, it having been previously tenable for seven years only. The number of probationers or junior fellows was fixed at nine, and the number of scholars at seventy. The scholars have since that time continued at this number, but the fellows have been increased considerably.

The progress of academic education has been slow in Ireland. We find, in 1782, that there were 565 undergraduates in Trinity College; but the number is mentioned as greater than had ever been known before. The number of those who had annually entered, taken at a medium for ten years before 1782, was 144; and the number of those who had annually obtained the degree of A.B., at a medium of the same time, amounted to 78. The graduates designed for the church were about two-thirds of the entire number. How much the number of students in Trinity College has increased since that time, may be seen from the following table of the entrances:

Year.	Catholics.	Protestants.	Total.
1829	31	366	397
1830	40	387	427
1831	43	400	443
1832	38	400	438
1833	30	416	446
1834	39	371	410
1835	20	321	341
1836	36	330	366
1837	30	310	340
1838	39	319	358
1839	30	330	360
1840	33	390	423
1841	31	323	354
1842	23	352	375
1843	25	349	374
1844	23	373	396
1845	—	—	366
1846	—	—	368
1847	—	—	371
1848	—	—	333
1849	—	—	327

The figures down to 1844 are taken from the return to the House of Lords, obtained on the 21st of February, 1845, on the motion of Lord Strangford; the latter figures, from House of Commons' Paper, No. 7, 1850. The number of students appears to be declining.

It will be perceived that, comparatively, but a small number of Catholics have entered Trinity College. The wealthier Catholics have sent their children to the great Catholic schools of England—St. Mary's, Oscott, Stoneyhurst, Prior Park, or Downside; some few have received their education in Cambridge university, as Sir Thomas Redington; and numbers have been educated in the colleges of France and Belgium, and in Clongowes, County Kildare.

Before 1794, it was not legal for any except members of the Established Church to be admitted into Trinity College, or to obtain degrees therein. In that year, a royal letter opened the college to Roman Catholics, so far as to permit them to receive their education and obtain degrees. The parliamentary disabilities had been removed by the Irish Parliament in 1793. It is worthy of remark, that the admission of Presbyterian and other dissenters into Trinity College has never been legalized, although in practice they are allowed by the Board to enter and take degrees. None but Protestants of the Established Church can, in the present state of the law, obtain

fellowships or scholarships—in fact, the principal emoluments of the university.

This exclusion from the rewards of learning, in the only university of their country, has always excited considerable discontent among the Catholic laity of Ireland; and this has been heightened by the direct and indirect proselytism of Trinity College. Several attempts at university reform have been made in England and Ireland, during the last twenty years, but the old universities have been strong enough to resist them; and the establishment of the University of London, and the Queen's University in Ireland, will probably help to divert public attention still more from the old establishments, and will avail in keeping them some years longer in the ways of ancient intolerance, monopoly, and obsolete systems of education. After the Reform Bill had been carried, and whilst the people were still zealous in their attacks upon the old abuses, the question of university reform appeared likely to be settled. In 1834, the second reading of the bill to open the universities of England to dissenters was carried in the House of Commons by a majority of 174; ayes, 321; noes, 147. The third reading was carried by a majority of 89; ayes, 184, noes, 75. In these majorities, there voted Sir James Graham, Sir John (now Lord) Campbell, Lord Ebrington, Sir George Grey, Right Hon. H. Labouchere, Dr. Lushington, Lord Morpeth (now Carlisle), Daniel O'Connell, Lord Palmerston, Lord John Russell, Mr. (now Lord) Stanley, Sir Charles Wood, Lord Marcus Hill, Mr. (now Judge) Perrin, and many other distinguished reformers. But the bill was thrown out in the Lords, by a majority of 102; contents (present 38, proxies 47) 85; non-contents (present 85, proxies 102) 187.

Mr. Sheil in 1834, Mr. Pryme and Lord Radnor in 1837, made also fruitless attempts to reform the universities.

In 1837, on the motion of Mr. Wyse, a committee was appointed to report on academical education in Ireland; and, in 1838, the committee made a very full and elaborate report. The report was framed upon the basis of uniting in academical education young men of different religious principles; and, immediately after, public meetings were held in Cork and Limerick, in which the Catholic bishops, and the Catholic clergy, united to call upon government to establish provincial colleges in Ireland.

In 1843, Sir Robert Peel being in office, Mr. Christie moved for leave to bring in a bill, to provide for the education of dissenters in the universities of England. Lord J. Russell, Mr. Wyse, and Mr. Redington, spoke in favour of the bill. Leave was refused, by a majority of 70; ayes, 105; noes, 175. There voted in the minority, besides the last-mentioned speakers, Lord Arundel and Surrey, Lord Palmerston, Right Hon. R. L. Sheil, and Hon. C. Villiers.

In 1843, Mr. Bernal Osborne moved for a return of the income and expenditure of Trinity College, Dublin. Lord John Russell spoke in favour of the motion, and said that, in the first place, they were called upon to vote out of the taxes a considerable sum for the promotion of education and learning in Ireland; and, secondly, there was a statement made by a member of the house, that seven senior fellows of Trinity College divided amongst themselves the sum of £14,000, for which they did extremely little. These circumstances proved, in his opinion, a sufficient reason why the house should ask full information. The motion was however rejected, by a majority of 27; ayes, 53; noes, 82. There voted in the minority, Lord John Russell, R. Montesquieu Bellew, John Bright, Richard Cobden, W. Sharman Crawford, Sir George Grey, R. L. Sheil, Sir W. Somerville, Hon. Charles Villiers.

In the mean time, the report of Mr. Wyse's committee, in 1838, had not been without its result; and, singularly, although the Whigs had always voted for, and the Tories opposed university reform, Sir Robert Peel's government now introduced an educational measure of the largest liberality; although, unquestionably, in establishing the Queen's Colleges, Sir Robert Peel went against the traditional policy of his party, as much as in the succeeding year by carrying Free Trade. But, perceiving that there was no place for united academical education in Ireland, in which Catholics and Presbyterians were intrusted with a share in the management, and perceiving that it was next to impossible speedily to reform the University of Dublin, he determined to found the Queen's Colleges, lay colleges, free from tests and all sectarian distinctions, as an experiment of freedom in education. And he acted wisely in not uniting them to any ancient institution, but leaving them to grow into a university, untrammelled by ancient rules, free to adopt the civilization of the nineteenth century.

On the 9th of May, 1845, Sir James Graham moved for leave to bring in a bill, to enable her Majesty to endow new colleges for the advancement of learning in Ireland. The Right Honorable Baronet, in a speech of great ability, said, the religion of the great majority of the people of Ireland had long and continuously been treated by the state as a hostile religion. He was happy to say that that system had been gradually mitigated, if not entirely removed. Civil equality had been granted to the Roman Catholics in Ireland and to the Roman Catholics in Great Britain; the penal laws had been removed, or they were in progress of removal from the statute book; but still there were traces remaining of that hostile disposition on the part of the state, and these traces were nowhere more perceptible, and in no degree more noxious, than where they were still found interposing in matters of education, in that part of the United Kingdom. In the year 1831, the Board of National Education had been established, the principle of which had been from the beginning, that the National Schools should be open alike to Christians of all denominations, and that accordingly no child should be required to be present at any religious instruction or exercise of which his parents or guardians might disapprove. It had been formerly attempted by the state, setting aside this principle, to give education to the poorer classes in Ireland, in conjunction with the attempts to proselytize. Large sums were annually voted for that purpose, but they were voted in vain, whilst the success of the National Schools since their establishment had been most remarkable. His belief was, that this measure would conduce to the concord, the order, the peace, and the virtue of Ireland. To maintain and preserve these was the grand object of successful civil government.

After Mr. Wyse, Mr. Ross, Mr. M. Bellew, and Mr. E. B. Roche, had spoken warmly in favour of the measure, Sir. R. H. Inglis rose to oppose it. He asked did he understand his right honorable friend (Sir J. Graham) to say that there was not only to be no exclusive religious instruction in those institutions which, in the name of Her Majesty, he now proposed to endow, but that there was to be no religious instruction whatever given in these institutions? (Sir J. Graham—"Hear.") That cheer, he feared, acknowledged the

accuracy of his memory. It was proposed to establish three colleges in Ireland. The whole proposal seemed to be, that all their instruction should be based upon this world, and without any instruction which could make the students better prepared for the world to come. The state regarded them not as immortal beings, but as the creatures of a day; the state regarded them not as accountable to their Maker. It was a gigantic scheme of Godless education. Nothing, he thought, was more calculated to promote such a Godless scheme of education than the measure before the house.

Mr. Sheil thought it not consistent with justice or policy to have Trinity College closed against Roman Catholics, who were now shut from fellowships and scholarships. They would leave it in the enjoyment of a permanent revenue. Trinity College possessed vast territories; it had 300,000 Irish acres. There were many valuable fellowships. From the talent required to obtain a fellowship, and from their possessing the power of returning two members to Parliament, Trinity College must always enjoy a paramount superiority over every other institution in Ireland. As long as that predominance lasted, so long they could not expect the Catholic people would be reconciled to that establishment. He knew that they would tell him that the interest of the Protestant establishment required the exclusion of the Roman Catholics from the honours of that college: thus they were ever met with the establishment. It was not the government who opposed them, but the establishment. Sir R. Peel had said that Ireland was his difficulty. It was not Ireland—it was the establishment. What connexion had those lay fellowships or scholarships with ecclesiastical matters? You admit the Roman Catholic to the university; you say he has all the advantages of Trinity College. He would reply, he has not; he has not the golden fruits that grow upon the tree of knowledge; he has not the full enjoyment of the college. He ought not to have been admitted there; or when let in, he ought to have had the full enjoyment of all its benefits.

Sir Robert Peel said, they had to deal with a country the great majority of whose inhabitants were Roman Catholics—persons not in communion with the Established Church, and they proposed to give the youth of all persuasions the means of meeting together and

joining in honourable rivalry in academical education. They proposed to establish three colleges in different parts of the country. In the north no college can possibly be established, the benefits of which will not mainly flow to the youth of the Presbyterian persuasion; and in the south and west, any such institutions must be practically for the benefit of the Roman Catholics. They found in the south and west, in the neighbourhood of Cork, Galway, and Limerick, no means of academical education existing. They would endow professorships in various walks of science—in literature, chemistry, &c., and they would provide the means of attendance at an excellent medical school. Now, if they endowed a theological professor, the member for the University of Oxford would tell them they must endow one exclusively to teach the doctrines of the Protestant church. But he apprehended that the Roman Catholics of Ireland, perceiving the endowment of a Protestant professor in a Roman Catholic part of the country, would require as a condition of the attendance of their youth at the institutions, at least the additional endowment of a Roman Catholic professor of theology. He doubted whether that arrangement would be for the advantage of either religion. At the same time, they professed their willingness to consult in every particular the wishes of parents and guardians—of the natural protectors of the young people. They would provide apartments in which youth might receive instruction from professors of divinity—from clergymen connected with the religion of each pupil, imposing on no one the compulsion of attending at these lectures, but giving every facility for attending religious lectures, according to the wishes of parents and natural protectors of the youth. They attached the utmost importance to regular attendance at places of worship, but they would attach no place of worship to the institutions themselves. It must be observed that they did not intend to receive the pupils within the walls of the new colleges. No domestic and complete charge was to be taken of them, such as is taken in the Universities of Oxford and Cambridge. The pupils would lodge in the town, at their parents' or guardians' houses; or if those were at a distance, with persons to whose care their natural protectors should commit them. They trusted that the greatest care would be taken of them; but circumstanced as the people of Ireland

were, with the great body of the people dissenting from the doctrines of the established religion, it would be in vain to establish these academical institutions, if we attempted to impose obligations to attend religious places of worship. Contemplating the advantages that would probably arise from these institutions if they were cordially supported by men of all parties, I am tempted to ask (said the right honourable baronet) how can it interfere with religion to promote science and scholarship—to make men good mathematicians, good chemists, good astronomers—to instruct them to admire the power and beneficence of the Great Creator, by expanding their minds with the knowledge of his wonderful works? My firm belief is, that you have a better security for religious instruction in the sense of duty and obligation on the part of the parents of youth, than in any system of compulsion that you can devise. If you found these colleges on the plan we propose, I trust that we shall have established, as far as circumstances will permit, a perfect system of secular education. We shall reap the benefit of this; we shall promote social concord between the youth of different religious persuasions, who, meeting to receive the advantages of joint education, will unite in honourable rivalry; and who, hitherto too much estranged by religious differences, will acquire new means of creating and interchanging mutual esteem. I sincerely believe, that as well as receiving temporal advantages, so far from preventing any advantages with respect to Christianity, the more successfully will you labour to make men good Christians, the more they are imbued with that great principle of one faith—a principle which I am grieved to say many individuals are too apt to forget—the principle, I mean, of reciprocal charity. By cultivating that principle, you will better serve the cause of true religion, and of peace, morality, and social comfort and concord in Ireland, than by leaving her inhabitants in division and ignorance, in the vain hope that by doing so you are promoting your own religious principles.

It will be remarked, that in this debate the term “Godless” was applied to the colleges by Sir R. H. Inglis. The term was gladly caught up by the bigoted opponents of education in both the Protestant and Catholic churches, and it has ever since been applied to these places of education; but the scheme as intended by Sir R.

Peel was introduced as only part of a great whole. Trinity College, Maynooth College, and the Queen's Colleges, are alike supported by government endowments. In the first there is a divinity school for the Protestant Established Church; but there are in Trinity College at least 500 non-resident students, who never receive any religious instruction, with the exception, perhaps, of the catechetical examinations. Maynooth College is an exclusive divinity school for the Catholic Church; the Queen's Colleges are lay colleges, giving only secular instruction, but neither giving nor professing to give a complete education. It has been found impossible to establish chairs of rival theologians within the same college. If such were established, a perpetual Maguire and Pope controversy would be going on, with all its scurrilities and obscenities, varied by pugilistic skirmishes between the students.

Sir Robert Peel's measure was nothing more than an extension of the national system of education to the higher classes of the community. The Board of National Education had already resolved to establish model schools in each of the 32 countries of Ireland, so as to extend the national system to the trading classes in country towns. This collegiate scheme was further extension. The National Schools had been the only great system of education founded by the government which had a complete success, and it had been the only system founded free from sectarian distinctions. The Charter Schools and Kildare-place Schools had been the greatest failures. The Charter Schools had been founded in 1731, with the express design of converting the Irish to the Protestant religion. It was stated in 1825, in the first report of the Commissioners of Education, that £1,027,715 had been granted by Parliament during 90 years, to the Charter Schools, and that not more than 12,745 children had been apprenticed. From 1806 to 1825, there had been £83,689 expended in building, but not more than two new schools had been erected. The Commissioners reported that the schools were totally mismanaged and inefficient, and that the evil was so monstrous, that it could not be corrected. Parliamentary aid was therefore withdrawn.

The new scheme of education met the warm approbation of most liberal Catholics and Protestants. Cork, Belfast, Galway, and Derry, in public meetings, expressed their approbation of the general features

of the bill. The Young Ireland party, headed by the *Nation*, and its talented editor, Thomas Osborne Davis, supported the colleges from the first; and mixed education was the first question upon which they openly split with Mr. O'Connell.

On the 23d of May, 1845, the Catholic prelates having met in Synod, upon the question of the colleges, sent a memorial to Lord Heytesbury, then Lord Lieutenant. It stated "that memorialists are disposed to co-operate, on fair and reasonable terms, with Her Majesty's government, and with the legislature, in establishing a system for the further extension of academical education in Ireland." And, after asking that a fair proportion of the professors should be members of the Roman Catholic Church, they stated "that the Roman Catholic pupils could not attend the lectures on history, logic, metaphysics, moral philosophy, geology, or anatomy, without exposing their faith or morals to imminent danger, unless a Roman Catholic professor will be appointed for each of these classes;" and, "that as it is not contemplated that the students should be provided with lodging in the new colleges, there should be a Roman Catholic chaplain to superintend the moral and religious instructions of the Roman Catholic students belonging to each of these colleges; that the appointment of each chaplain, with a suitable salary, should be made on the recommendation of the Roman Catholic bishop of the diocese in which the college is situate; and that the same prelate should have full power and authority to remove such Roman Catholic chaplain from his situation." They also passed a resolution, that they could not give their approbation to the proposed system, as they deemed it dangerous to the faith and morals of the Catholic pupils.

On the 28th of May the Repeal Association met, and pronounced its opinion against the Colleges' Bill. Mr. O'Connell, of course, opposed the bill. He said that, as he would concede to the Protestant, in like manner he would concede to the Presbyterians a distinct and separate education for Presbyterian youth, and join them in calling upon the government for a guarantee that the children should be educated in the religious profession of their fathers. He contended that every profession should have a distinct and separate system of religious instruction. He denounced the bill in another point of view. He denounced it as a political delusion, and reiterated his opinion,

that a more atrocious bill was never attempted; a more nefarious attempt at public profligacy and corruption never disgraced any minister. What signified a knowledge of Greek and Latin—of what concern was it to be made proficient in algebraic and mathematical science, when compared with the evil of corrupting the youthful mind—educating into sycophancy—making courtiers and servile flatterers of the before ingenuous youth, and calling forth the worst passions of the human heart to minister to the caprice of power. Could that be called education, which bribed a man of virtue and morality out of his patriotism and love of country, out of his early professions, and made him a trafficker for base speculation and reward. This bill was an atrociously bad bill, in its project for educating the rising youth of Ireland. He wanted to know would one independent man be appointed to a professorship under it? What was the given purchase? Like the revenue-officers and police-officers, so long as they remained unfriendly to their country—so long as they smother expressions of patriotism, and scoff at the land of their birth—only so long will their services be continued. Political and religious renegadism was the highest qualification for office; and, doubtless, many would be found, on these terms, to become recipients of that patronage. He would propose that the Protestants should have one college, that the Presbyterians should have another, and that the Catholics should have another; and, as to Trinity College, he had not seen any reason to change his opinions on that subject. When he was examined upon oath, in 1835, he said he thought it was reasonable that the Protestants of Ireland should have Trinity College for their college. As to the mixed education taught there, he did not see the advantage of it. He knew there were an immense number of Catholic young men who go in there as sizars, and when they become scholars, very few of them come out as Catholics; and, if they were educated in any school where there was not a premium for apostasy, they might be Catholics to the present day.

After Mr. M. J. Barry had declared himself an advocate of mixed education, Mr. M. J. Conway spoke warmly against the bill. The following scene then occurred:

Mr. Davis—I have not more than a very few words to say in reply to my very Catholic friend—

Mr. O'Connell—It is no crime to be a Catholic, I hope.

Mr. Davis—No, surely, no, sir—

Mr. O'Connell—The sneers with which you used the words would lead to the inference.

Mr. Davis—No, sir; my best friends are Catholics. I was brought up in a mixed seminary, where I learned to know, and knowing, to love, my Catholic countrymen.

Mr. Davis then, in the course of an able speech, approved of the bill, because it contained the principle of mixed education, because it conceded the necessity for academical education, and provided funds for its diffusion. He disapproved of it as containing no provision for the religious discipline of the boys taken away from the paternal shelter. He demanded the appointment of Catholic Deans to superintend the conduct of Catholic students, and of Protestant Deans to inspect the conduct of Protestant students. Beyond all, he denounced the bill for giving the government the right to appoint and dismiss professors—a right to corrupt and intimidate.

Mr. O'Connell then proceeded to abuse the Young Ireland party. The principle upon which the present bill was founded had been lauded by Mr. Davis, and was advocated in a newspaper professing to be the organ of the Roman Catholic people of this country. The section of politicians styling themselves the Young Ireland party start up and support the measure. There was no such party as that styled Young Ireland; there might be a few individuals who took that denomination on themselves. He was for Old Ireland. They were all agreed on the condemnation of this measure.

Mr. Davis, in explaining, said, that in his most private correspondence, the clearest and closest he ever had, he had ever expressed the strongest affection towards Mr. O'Connell, and had no other desire but the friendliest towards him. He was affected to tears. Mr. O'Connell also explained, and the difference was apparently made up. This was only apparently. The Young Ireland party was bent upon rebellion, which Mr. O'Connell never intended; and they soon after seceded from the Repeal Association.

Since that time there have been various quasi-denunciations from the principal bishops of the Roman Catholic Church in Ireland, as well as Papal rescripts, with which it is not necessary to trouble our readers.

The objections made to the colleges by their opponents are grave. They have been denounced in the same breath as proselytizing machines of the English government, and as places of infidelity and Atheism. Again, it has been insisted by extreme theologians that it is impossible to teach the ancient languages, the modern sciences, the liberal arts, except in the exclusive system of some particular religion. This latter argument we can understand, but it is not worth while to reply to it. The principle of an exclusive system of education, carried out to the full, would maintain exclusive dealing, religious persecution, war to the knife with all other religious denominations, and would separate the religions of the earth into isolated sects, slaughtering one another for the love of God. We do not wish to see the times of the dragonnades of Louis XIV. or the penal laws of Ireland revived; and happily this fanatical spirit of isolation is leaving the civilized seats of the world, and retiring to the mountains of Atlas or the interior of China.

On the question of united education, the learned and eloquent Dr. Doyle, Roman Catholic Bishop of Kildare and Leighlin, said, in his celebrated evidence before the House of Commons—"I do not see how any man wishing well to the public peace, and who looks to Ireland as his country, can think that that peace can ever be permanently established, or the prosperity of the country ever secured, if children are separated at the beginning of life on account of their religious opinions. I do not know any measure which would prepare the way for a better feeling in Ireland, than uniting children at an early age, and bringing them up in the same school, leading them to commune with one another, and to form those little intimacies and friendships which often subsist through life. Children thus united know and love each other as children brought up together always will, and to separate them is, I think, to destroy some of the finest feelings in the hearts of men."

Now, the question of united education being almost a settled one, the arrangements at the Queen's Colleges for the security of the religious principles of the students, are, though capable of being improved in respect of giving the Deans of Residence salaries, still infinitely superior to those of any other academic institution in the United Kingdom. In the universities of Oxford, Cambridge, and

Dublin, no arrangements, under the present system, can be made to provide for the religious education of students not members of the Established Church. Roman Catholics, with Presbyterians and other dissenters, so far as they are admitted to receive education in Cambridge and Dublin, live there free from any spiritual control whatsoever. Nay, the entire management of those universities is in the hands of ecclesiastics of the Established Church, naturally jealous of the radical attacks which are so constantly and offensively made upon her wealth and dignities—naturally suspicious of encroachment. Yet dissenters have long since been educated at Cambridge, and Roman Catholics at Dublin. No Non-conformist community nor Roman Catholic synod has denounced the practice. Since 1794 Roman Catholics have been educated in Trinity College, and received their degrees therein. Thomas Moore, Richard Lalor Sheil, Archbishop Slattery, Judge Ball, Chief Baron Pigot, Chief Justice Monahan, and many other distinguished Catholics have been educated in the university of Dublin; yet upon all the numerous occasions upon which the Roman Catholic Prelates have addressed publicly the government and the people, since Trinity College has been opened to them—during the struggle for Catholic emancipation—during the denunciation of the Queen's Colleges by Archbishops Mac Hale and Cullen—up to the moment we write, not a syllable against Trinity College has by them been breathed. Yet, that we may use the eloquent language of the President of Galway College,* “the university of Dublin is an institution originally founded, munificently endowed, and continually upheld, for the avowed end of promoting the Protestant religion. The very genius of the place is, opposition to the Catholic persuasion. Its substantial honors, its invaluable political privileges, its splendid dignities, are all confined to one denomination; while the idea of securities for the peculiar views or morals of Catholics would be scouted as an innovation entirely repugnant to the end for which the college was established.

So in the universities of Scotland, the professors are by law members of the Presbyterian Established Church; but in Edinburgh and Glasgow there is no religious superintendence whatsoever of the students; yet those universities are attended by members of every

* “Address.” Hodges and Smith, Dublin.

religious denomination, without being denounced by the authorities of the several churches as "Godless." In the University College, London, the religious belief or unbelief of the students is a matter of the most perfect indifference to the authorities, nor have they any means of taking cognizance of it: no religious test is applied to either professors or students. The education is entirely laical, yet many excellent Christians of all denominations send their children to be educated there. So also, the great Roman Catholic schools of Ushaw, Stonyhurst, Oscott, Carlow, Prior Park, Downside, Kilkenny, and Thurles, are in connexion with the University of London. Nor can we understand the conduct of those prelates of the Synod of Thurles, who denounced the "Godless" Queen's University, whilst at the same time many of them were residing in St. Patrick's College, Thurles, an institution empowered to issue certificates to candidates for degrees in arts and laws from the still more "Godless" University of London.

Let us now review the securities for religion which exist in the Queen's Colleges, and none of which exist in the Universities of Cambridge or Dublin, the Scotch universities, the University of London, or University College, London, in all of which places education has been given to Catholics and Dissenters for years, without a word of remonstrance from Catholic or Non-conformist authority. In chapter XVIII. of the statutes of each college it is enacted, "that every matriculated student, being under the age of twenty-one years, shall be required to reside during the college terms with his parent or guardian, or with some relation or friend to whose care he shall have been committed by his parent or guardian, and approved of by the President, or in a boarding-house licensed and arranged for the reception of students. And as a further security, if the bishop, moderator, or the constituted authority of any church or religious denomination, shall notify to the president his or their desire that there shall be boarding-houses specially licensed for the exclusive use of the students of such church or denomination, and shall specially recommend persons applying for licence to establish the same, the president shall, in every such case, grant such license, provided he shall obtain satisfactory evidence of the suitableness of the proposed establishment, and of its means of providing for the

health and comfort of the students. It is provided, for the better maintenance of moral and religious discipline in the licensed boarding-houses, such clergymen or ministers as from time to time may be appointed by warrant under the sign manual Deans of Residence, shall have the moral care and spiritual charge of the students of their respective creeds residing in the licensed boarding-houses. The Deans of Residence have authority to visit the licensed boarding-houses in which students of their respective creeds reside, for the purpose of affording religious instruction to such students; and also have power, with the concurrence of the bishop, moderator, or other ecclesiastical authority, respectively, to make regulations for the due observance of the religious duties of such students, and for securing their regular attendance on divine worship; such regulations, before coming into force, to be laid before the president, and certified by him as not interfering with the general discipline of the college."

These extracts are especially worthy of attention. Absolutely, if Protestant or Catholic bishops of the diocese desire it, he may have the entire religious control of the students, who may be sent to reside in the boarding-house for the exclusive use of students of his denomination; and they may attend and receive spiritual instruction from a dean appointed by him in absolutely whatever manner he may please.

Every professor, upon entering into office, signs the following declaration:—"I, A. B., do hereby promise to the president and council of the Queen's College, that I will faithfully, and to the best of my ability, discharge the duties of professor in said college; and I further promise and engage that in lectures and examinations, and in the performance of all other duties connected with my chair, I will carefully abstain from teaching or advancing any doctrine, or making any statement derogatory to the truths of revealed religion, or injurious or disrespectful to the religious convictions of any portion of my class or audience. And I moreover promise to the said president and council of

that I will not introduce or discuss in my place or capacity of any subject of politics or polemics, tending to produce contention or excitement, nor will I engage in any vocation which the president and council shall judge incon-

sistent with my office; but will, as far as in me lies, promote, on all occasions, the interests of education, and the welfare of the college."

And if the professor violate this rule he may be suspended, and the president shall officially recommend his dismissal. These extracts ought to convince any candid mind that the true interests of religion are sufficiently guarded in the colleges of the Queen's University in Ireland. Deans of residences have been appointed in all the colleges, and presented the most satisfactory reports at the end of the first session as to the moral and religious conduct of the students. It is in reference to the deans of residences that Dr. Murray, the Roman Catholic Archbishop of Dublin, wrote—"Is it not an absurdity to designate as 'Godless,' institutions which contain ministers of religion appointed for the end of teaching the students to serve, to worship, and adore God." But this impression, now so prevalent in the minds of the middle classes, that these colleges are really "Godless," guilty of irreligion, is one that can only be removed by time, and by the good conduct of the professors and students.

However, notwithstanding this opposition, the number of students in the Queen's Colleges is considerably greater than was expected. University College, London, notwithstanding that it is situated in the metropolis, has not a large attendance of students, if we except the medical classes. During the seven years ending with the session, 1842, the average number of students attending University College, including all the classes, was—in arts, 129; in law, 16; in medicine, 430. This is a very small number of students in arts. Now, the Queen's Colleges were opened for the admission of students at the close of October, 1849; and during the first session, terminating June, 1850, the following numbers entered. They are taken from the annual reports of the Presidents, forwarded to the Lord Lieutenant, to be laid before parliament, agreeably to the provisions of the 8th and 9th Victoria. c. 66, s. 20 :—

	Matriculated.	Non-Matriculated.	Total.
Belfast,	85.....	107.....	192
Cork,	70.....	45.....	115
Galway,	68.....	.....	68
Total.....			375

It may therefore be anticipated, that when the colleges are in full operation, about a thousand students will attend them. Of the 70 matriculated in Cork, there were 38 Roman Catholics, 26 Church of England Protestants, 4 Wesleyan Methodists, 1 Presbyterian Independent. In Galway, out of 68 students, 38 were Roman Catholics, 22 Church of England Protestants, and 8 Presbyterians.

In the system of education pursued in the new institutions, there is a marked improvement upon the old university method, both in the manner of teaching, and the subjects taught. The professorial system has been adopted to the entire exclusion of the tutorial; special professorial education is given in the highest departments of law, medicine, engineering, and agriculture; and the modern languages, chemistry, and the social sciences, occupy prominent places in the arts' course for all students.

The most important features of distinction in educational training between the Queen's University and the more ancient seminaries of learning in England and Ireland is, the complete establishment of the professorial to the entire exclusion of the tutorial system. In the University of Dublin, the fellows are expected to lecture and examine in all the varied departments of ancient literature, and many of the sciences: hence their industry is frittered away upon a thousand different points; nor is it possible for a mind so variously occupied to become proficient in the higher paths of any one literary pursuit. It is this system which has caused Trinity College to be termed the "Silent Sister;" and the evils are admitted by the fellows themselves. The late Dr. Elrington, in his life of Usher, has said—"To any one acquainted with the embarrassing routine of lectures during every term, it is only wonderful that there ever has been found a fellow who was able to distinguish himself in the paths of science or literature."*

In the Queen's Colleges, every professor has his own individual department in which to teach, lecture, and examine. It is merely the application of the principle of the division of labour, which all the political economy they have learned from their professor for the last twenty years, has not been able to infuse into the minds of the fellows

* Elrington's Life of Usher, vol. 1, p. 38.

of Trinity College. In every contemplated scheme of university reform, the substitution of the professorial for the tutorial system ought to occupy a large share of attention. The Commission to inquire into the state of the University of Dublin will much differ from the usual parliamentary commissions if it do more than produce a most unreadable blue book. We wonder will they recommend the opening of the emoluments of the university to dissenters, and the extension of the professorial system. We may mention that the Royal Commissions of inquiry into the state of the Universities of Oxford, Cambridge, and Dublin, have been obtained by means of the unceasing exertions of Mr. Heywood, the member for North Lancashire, in the cause of university reform. There is a distinct faculty of law in each of the three Queen's Colleges. There are two legal professorships in each—jurisprudence and English law. The course for the degree of LL.B. occupies four years: first year, jurisprudence and the law of property; second year, equity and civil law; third year, common and criminal law; fourth year, constitutional and international law, colonial law, medical jurisprudence, pleading and evidence. Besides attending the lectures of the professors, the student must pass an annual examination on the subjects of the session.

Legal education has hitherto been but little cultivated in the universities of the British islands, nor has the study of law been made an essential part of their system. Dr. Longfield, one of the commissioners for the sale of incumbered estates, is professor of feudal and English law in the university of Dublin. In his evidence before the committee of legal education he stated, that the average attendance on his lectures was only seven, notwithstanding the number of students on the books of the university of Dublin exceeds 1,200. Since the recent arrangement of the Benchers, we suppose the number has been more considerable. In Oxford and Cambridge, the law classes have always been badly attended. In the Queen's Colleges, during the past year, Belfast had a class of five matriculated and nine non-matriculated students; and the number has increased during the present year. In Galway there are four matriculated students in the faculty of law; in Cork, as appears by the calendar, three matriculated and three non-matriculated.

The system of legal education in foreign countries is very different.

In France, before the last Revolution, none could fill even the lowest places in diplomacy without having obtained a degree from the School of Law, in the University of France; and we are not aware that the rule has been changed. In Prussia, few offices under government can be obtained without a university degree; however we might object to the system here, it necessarily ensures a certain degree of competence in the government subordinates, and is some slight protection against unblushing favouritism. The number of law students in the University of Berlin is now upwards of 200. The entire of the number of students studying law in the German universities is now (as stated recently by the *Journal des Debats*) 3973, whilst the number of theological students is 2539; of the medical, 2146; of those studying philosophy and philology, 2357; and of those studying political economy, 549. In the United States, there were, in 1849, 12 law schools, with 23 professors, and 414 students.

We trust that the degrees of the Queen's University will receive, from the Benchers of King's Inns, the same privileges which degrees from Oxford, Cambridge, London, and Dublin, have, in reference to shortening the number of terms requisite to be kept in order to be called to the Irish bar. The degree of A.B. can be obtained in these four universities without the slightest knowledge of law, whilst the degree of LL.B. in the Queen's University requires four years to have been spent in legal studies.

The Queen's Colleges have at present much to contend with. The the legacy of opposition bequeathed by Mr. O'Connell—the opposition of many of the Roman Catholic bishops to any system of mixed education—the denunciation of the Synod of Thurles—the natural suspicions which Roman Catholics entertained of the honest intentions of a government, whose Premier denotes their religious exercises as “superstitious mummeries”—the terrible sufferings of the middle classes in the South and West—all have combined to thin the number of the students. What measures should Lord Clarendon (who, as Chancellor of the Queen's University, may occupy, if he please, the unsalaried office of Minister of Education in the House of Lords) advise, in order to make the Queen's Colleges work well as a great scheme of united education?

There is one matter which ought to be at once accomplished—the

independence of the professors. At present, they are appointed during pleasure of the government. We cannot conceive anything more degrading to the literary character than to be dependent upon government patronage, and to be apprehensive of the displeasure of the politicians who may happen to be in office. The professors should not be appointed by the Crown, and they ought to be independent of its caprice. When a vacancy may occur in any of the colleges, the university professors who may be appointed, and the professors of the similar department in the other colleges, should examine the candidates, and recommend a select number for the selection of the senate of the Queen's University. In the senate alone should be vested the power of appointment. Again, the commissions of the professors should not be *durante placito*, but *quam diu se bene gesserint*. These two reforms would go far to invest the colleges with the confidence of the Irish public.

There is a third point, of even greater importance. The presence of the rev. deans of residence in these colleges, is constantly advanced as one of the best securities for the preservation of the faith and morals of the students. These gentlemen are at present unsalaried, and yet are expected, gratis, to devote their time to the most important department in education, namely, religious instruction. We need not say what a handle this omission gives, to those who constantly declaim upon the dishonest intentions of the British government in founding the colleges. Here are clergymen appointed to the most important offices, directed to discharge the most important duties; but the founders of the colleges refuse to supply the means, without which it is impossible for any surveillance to continue to be maintained over the religious conduct of the students. This gross mistake must be remedied. We do not know who parcelled out the endowment of £21,000 per annum into the salaries of the professors, but out of so large a sum, they might very readily have allotted a portion for the purposes of religious education. A sum of £300 per annum to each of the colleges, would have been sufficient at the first, to be allotted to the deans of residence, in the proportion of the number of their pupils.

These, and some few other minor reforms, being accomplished, the Queen's University may take an honourable place amongst the European seminaries of learning.

ART. IV.—THE TENANT LEAGUE v. COMMON SENSE.

1. *Report on the Legislative Measures requisite to facilitate the adoption of Commercial Contracts respecting Land in Ireland.* By ROBERT LONGFIELD, Esq., Barrister-at-Law. Dublin: Hodges and Smith, 1851.
2. *A Consideration of the Theory that the backward state of Agriculture in Ireland is a consequence of the excessive Competition for Land.* By EDWARD LYSAGHT, Esq. Dublin: Hodges and Smith, 1851.

"WHEN," says John Selden in his "Table Talk," "men did let their land under foot, the tenants would fight for their landlords, so that way they had their retribution; but now they will do nothing for them, may be the first, if but a constable bid them, that shall lay the landlord by the heels; and therefore it is vanity and folly not to take the full value." In the days of feudalism, when the lord was a king above his people, it did, as honest old John would imply, more than repay the landlord to let his land under the value, and thereby receive the best assistance of his tenants for the protection of his property, and in making sure the stability of the throne. But as time rolled on, as civilization progressed, and the burghers of the towns became a very important portion of the commonwealth, the whole institution of feudalism was changed, or abolished; kings found it easier, lords found it more agreeable, to merge the soldier vassal of the military tenure in the modern money-paying tenant; then escuages became the custom of the time, and so things have continued for ages, and we live in an epoch of peace and "peelers," and our tenants are, as Selden says, willing to "lay us by the heels" if desired. There can be no doubt whatever of the fact, that the change was an improvement. The revolution was one which should of necessity be made, either by the free will of the parties interested, or by the strong hand of the vassal, and the consequent disruption of

society; but the improvement, like all human improvements, had some disadvantages, the chief one being, that the landlord felt no longer as a LORD. All fine notions of honor and generosity, became mingled with the higgling spirit of the trader, and a lordly Howard, or a noble Stanley, learned to chaffer about his land in a manner worthy of John Styles the mercer, or Master A. Nokes the vintner, puffing his wares, and felt, as Selden says, that "it is vanity and folly not to take the full value," for in no other way could the landlord have his "retribution" or recompense. The mercer and the vintner sold their goods, the landlords sold their land, or hired it out—each was in his way a trader, and each drove the best bargain he could. A Nokes or Styles having laid up some money, lent it on mortgage to the popinjay of the court, who spent it in frills, or fancy points for his hose; and so, not being able to pay the borrowed money, the land became the property of Master Vintner; he made all the money he could from it, as he had formerly done from his sack and malmsey—laws were passed enabling him and other landlords to tie up their possessions to the last generation, to hold the wishes, the hopes, the lives, the interests of their descendants in a species of tyrannic mortmain. Thus, for centuries, the whole system of law with regard to landlord and tenant, has continued; and, as all things human must in time become defective, the law regulating land has fallen into a condition behind the age, and is, to a certain extent, in a condition injurious to the well-being of society. That the law of landlord and tenant is in the state satisfactory to a real friend of the country, no man will, or can, contend; and, as we explained in our last paper upon the subject, this condition of the relations of landlord and tenant has furnished a worthy subject to engage the efforts of the patriot, and has also given employment to the speculating political rogue. In a word, we all admit, that, from first to last, the law of landlord and tenant in Ireland, requires a full revision. But, whilst we thus plainly state our opinion upon the subject, we are by no means prepared to join those men who say, that the landlord is an oppressor, and that the people are poor harmless innocents, unable to see their own interest, and too ignorant to understand their real advantage. For our own parts, we consider that most of the

country's misery has been caused by want of steady employment, and by the poverty and embarrassments of the landlords. We know that if capital and energy had been expended, if old forms of law had been, not sweepingly abolished, but gradually relaxed, the people could not be, as now they are, miserable beggars.

The thinking portion of the nation are all of this opinion, the sole difference between men being the best method of ameliorating the condition of the tenant, without infringing the just rights and fair claims of the landlord.

Upon this subject, much has been written, and spoken, and thought, but, as yet, very little has been done satisfactory to the real friends of the tenant farmer; and for the reason, chiefly, that the farmer does not himself appear to know his just claims. It is quite true that he has shouted at meetings, where the speakers asserted that the landlords were murderers; it is also true, that he has cried well done, when the speaker stated that the landlord was but as a dormant partner in a mercantile establishment; and, it is further true, that the farmer has supported the man who, for his own purposes, has said that the landlord and tenant, the buyer and seller, are not the best judges of the rent—the price to be paid for the land; but that two or three parties, to be called in, are the only fitting persons to arrange the terms.

We are well aware that, to many very good men, the name Tenant Right is one which sounds absurdly, or is connected in their minds with violence and dishonesty. This, it seems to us, is a folly, and a very dangerous and unhappy fallacy. The honest tenant has rights and claims, and to deprive him of the former, or deny him the latter, is to do a grave injustice, under the pretence of legal immunity. No doubt, when the present laws were enacted, Parliament considered them necessary; but the changes which have since then swept away customs and institutions, at those early times in existence, have placed men in positions in which the old laws are either useless or burthensome. It appears to us, that those writers who have lately turned their attention to the subject of landlord and tenant legislation, trouble themselves too much by endeavouring to engraft a new code of laws upon the old institution, and to make both work in harmony. Now this is both impossible and unnecessary. The

laws as they at present stand, with the long code for binding entailed lands, and the acts which enable the dead to rule the living, these, and other defects to which we shall refer, prove that it is only by casting away all the offshoots of the code, whilst preserving the great fundamental principles, that justice can be done.

We confess it has astonished us not a little, to find well-meaning, right-intentioned men pausing, and considering the manner by which those embarrassing rules of law could be surmounted. It is, no doubt, dangerous to meddle with a state of things long sanctioned by legal enactments; and a minister may well hesitate before committing himself and his administration, by a promise of measures which might be advantageous, or which might, on the other hand, prove injurious to the social and political welfare of the kingdom. But the evils which mark the law of landlord and tenant in Ireland, are of so glaring a nature, that no minister can deny the pressing necessity for their abolition; and the more honest the minister, the more speedily will their amendment be introduced.

This subject has lately attracted the attention of many very able men; much has been written, and many things said, upon the condition of the farmer, and, we believe, that if the concentration of absurdity, known as the Tenant League, had refrained from pushing its views so violently, and in so questionable a shape, before the country, the friends of real justice to the farmer would, before this, have obtained support from those who cannot, and will not, join a society ruled by men whose chief object is self-interest.

We have never contended, and we never will contend, that *all* the claims and projects of the Tenant League are dangerous or futile; but we assert now, and we will ever assert, that so long as the scheme of a valuation is agitated, all the other objects of the League, however laudable, must, of necessity, be considered as emanating from a confederation of rogues, or an assembly of ignorant fanatics. But, we may be told, those persons mean well. Supposing that they do mean well, surely we are not to allow the wild theories advanced by them to pass unnoticed and unopposed, because the Leaguers mean no harm. And we deny that no harm is meant.

When the agitation for the Northern Tenant Right was first commenced, when the attention of the country was drawn to the subject,

by the evidence given before Lord Devon's commission, we remember well, that at the same time, Mitchell and Duffy commenced a series of articles inciting the people to resist the payment of rent, and to keep the harvest for themselves. We recollect that they advised the tenants to pay rent, if anything should remain *over*, after all their own wants were fully supplied. We remember the *Nation* newspaper told the ignorant mass of the people, "that the sole and only title that can be pleaded to any right of private property in the substance of the soil, is nearly and altogether conventional." We recollect, too, that to teach this same doctrine, Doheny was sent to the Holycross tenant right meeting, held in the month of September, 1848. We know that, until Duffy and Lucas incited, for their own ends, the League to start the valuation project, the northern Tenant Right was the measure advocated and demanded by the body. Within the past three months, we have read the most dangerous doctrines advanced by the writers and speakers of the League; and at the Kells meeting, held in April last, a clergymen declared, that they had commenced a *war of class against class*. Recollecting all these things, and feeling a deep and earnest anxiety for the advantage of the tenant farmer, we protest against the valuation plan of the League, because it is unjust, impolitic, unnecessary, and extreme; and being all these things, any one of which is a sufficient reason for opposition, we consider the evil consequences increased a thousand-fold by the fact, that the most prominent Leaguers in Dublin, and chief newspaper supporters of the body, are those same men who were the prime movers of the Young Ireland absurdities, in the year 1848. The doctrines then taught are exactly the same as those now inculcated; therefore we again assert, there is matter, and grave matter too, of regret to those who wish well to the genuine, practically honest Tenant Right. We cannot find that this plan of valuation is supported as a general principle by any writer on political economy. We know of no period in the history of the world, for the last three hundred years, in which this principle was mooted, unless it may have been at some epoch when all sense of justice was obliterated, and when, in the wild *boulerusement* of affairs, the ravings of a Rousseau, or the dreamings of the Socialists, became a creed to the populace, supported by the ready penned, unscrupulous, and un-

blushing rogues, who were willing to prostitute the genius God had given; who gloried in their dishonor, as it paid; prepared to shout, "Property is robbery," or to teach "that the sole and only title that can be pleaded to any right of private property in the substance of the soil, is merely and altogether conventional;" and being ready to sing, with Peter Pindar's Tom Paine—

"As we all are poor rogues, 'tis most certainly right
At the doors of the rich ones to thunder;
Like the thieves who set fire to a dwelling by night,
And come in for a share of the plunder."

We oppose this plan of the valuation, because we believe that the fact of its being made the chief object in the Tenant League agitation, will have the effect of driving honest men from the ranks of the tenant farmers' friends. Even from their own ranks they have driven Dr. Gray, of the *Freeman's Journal*, and his brother, because the council would not adhere to the legal advice obtained; and Mr. Fitzgibbon has left the council, as he considered they were setting class against class by their electioneering humbugs, and squandering the sweat-earned money of the ignorant farmers, and exciting hopes in their breasts which could never be fulfilled; his further reason being, that whilst exciting the country in this manner, the League has no plan of its own to ameliorate the condition of the people, and in fact does not know what its own real principles are.

No such right as this valuation is known in England; it is no part of the Tenant Right of the North; it is unknown to the constitutional lawyers of the kingdom; and in Ireland it is the project of knavish and selfish political speculators. We do not assert that all the Leaguers are of this class; we only contend, that the dictators of the Dublin League press started the theory long since, in the days when John Mitchel used to call Lord Clarendon "Her Majesty's Butcher-General." We know that since those days no "dodge" has paid, or promised to pay, so well as this valuation scheme, because no scheme was ever so absurd, and therefore so likely to continue a money-making grievance. It takes some of the Catholic priests and some of the Presbyterian clergy, and of course is readily backed by those beaucolic patriots—"moitié ours moitié mouton"—who shouted for free trade, and now grumble at the low price of agricultural pro-

duce. We oppose this valuation scheme, also, because we believe the practical working of it to be a moral impossibility, particularly in Ireland. We do not wish the reader to suppose we make this assertion as to the difficulty of carrying out the valuation without good grounds, and we shall now place before him a case which, in our minds, is very conclusive upon the subject, and goes to prove, that with the best and fairest intentions, it is almost impossible to conduct a valuation in a manner uninjurious to either one or other of the parties. Everybody knows that his Grace, the Duke of Bedford, is a good landlord, in fact a much better ruler and guide to his tenantry, than his brother, Lord John, is, to Her Majesty's subjects. His Grace had let, before the repeal of the corn laws, a farm to a Mr. Bennett, and Mr. Bennett, thinking himself injured as an English farmer, by an enactment admitting foreign corn into the kingdom, without let or hindrance, did certainly make a very indignant speech in Willis's Rooms, in London, at a meeting held there after the passing of the Manchester Magna Charta—the Free Trade measure. The Duke finding that Mr. Bennett was offended and felt himself injured by the bill, to which His Grace had given support, offered to free Mr. Bennett from all his engagements and liabilities under his lease, and to pay him for all his permanent and unexhausted improvements. The offer was gladly accepted, and the following agreement was reduced to writing:—

“Mr. Bennett having, at a public meeting held at Willis's Rooms, on or about 7th March, 1849, for the purpose of considering the depressed state of the agricultural body, in consequence of the act of parliament passed to amend the laws relating to the importation of corn, expressed his sentiments concerning that act, and its effects, in the following words, namely—I am almost disposed to regard this measure of free trade as a dishonest measure. I regard the reduction of one-fourth in price of the produce of farms through free trade legislation, as equivalent to a man's coming (say Sir Robert Peel) at the head of a body of marauders, and carrying away every fourth stack of corn off the farm, and running away with every fourth head of cattle; it is about tantamount to that. Nay, more than that; because that difficulty once got over, we might perhaps struggle on, and be able to start afresh. And the Duke having, by his vote in the House of Lords, assisted in the passing of that act, and the said agreement for a lease having been entered into previously to its passing, the Duke, though by no means regarding the measure as a prejudicial one to the farmer, yet, feeling that

it would be an act of justice and liberality to relieve from his engagement a tenant who had expressed so strong an opinion, that the said act is calculated to deprive him, in common with others, of a large portion of his property employed in agriculture, had made an offer to the said William Bennett to release him from his said agreement upon the terms after mentioned, and to pay him for his permanent and unexhausted improvements upon the said farm, according to a valuation to be made in the most liberal spirit, and on the most equitable terms towards the said William Bennett that the circumstances of the case admit of, &c."

The agreement recited the facts of the case as we have copied, and went on to provide that the Duke should appoint one arbitrator and Mr. Bennett another, and that those persons so appointed should select an umpire; and it was further agreed, that the money awarded to Mr. Bennett should be, for "the live and dead stock, the crops, and acts of husbandry done to the fallows that season, and for all permanent and unexhausted improvements completed, or in course of prosecution." It was also agreed that the expense of the reference to arbitration should be borne by the parties equally, unless the award directed the Duke to pay the whole. Now here was a beautiful little opening for the Tenant League system of valuation to work its way, and show all its points of perfection. We can fancy all Callan, the focus of the body, in delight, if Lady Dover would only, at the first opportunity, try the system; but alas for all human hopes, the result was pitiable; although we do not know whether the League would consider it so, as the landlord was the sufferer. The agreement having been signed, an umpire was selected, a Mr. Stokes, of Kingston, Nottinghamshire, and the valuation was commenced. The arbitrator was called in very often, but at length the following sums were agreed on:—

	Valued for Mr. Bennett.			For the Duke.			Difference.		
	£	s.	d.	£	s.	d.	£	s.	d.
For Live Stock,.....	1,174	14	6	1,150	0	0	24	4	6
For Dead Stock.....	699	2	6	637	12	0	61	10	6
Crops and Tillage,...	2,699	11	0	2,412	8	0	287	3	0
	4,573	8	0	4,200	0	0	372	18	0

The difference in the valuation arose chiefly on the grain crops, and a crop of giant sainfoin which had stood for seed, after it had been mown for hay. The Duke's valuator wished that the grain crop should be valued at the probable price of grain at the time it should

be brought to market, the following autumn. Mr. Bennett's valuator insisted that it should be valued at a pivot scale of prices, which had been inserted in the lease as the groundwork for making quadrennial re-adjustments of rent. The umpire decided with Mr. Bennett's valuator. Thus the first heavy round was decided against the Duke, and down he went at £167, the difference between the probable value in autumn and the pivot scale in the lease. The Duke's valuator put the sainfoin at £6 per acre, Mr. Bennett's man put it down at £13 the acre; this made an item of £120 against the Duke. The Duke's valuator thought £250 enough for the permanent improvements in buildings, but it was set down at £329 7s. 6d. What a conscientious umpire! There is a glowing halo of virtue about the odd 6d.

By the agreement, there was no value whatever to be put on the unexpired term of Mr. Bennett's lease; but he insisted that he should be allowed to show that the farm was worth from 5s. to 10s. per acre more in 1849 than 1831, although the lease under which he held did not commence till 1843, and that he should receive 7s. 6d. an acre for the unexpired term of thirteen years and a half, for 347 acres, which set the Duke down for £1700. The Duke's valuator called this, very emphatically, "gammon," and desired to see Mr. Bennett's books, that he might discover the actual sums laid out in manure, &c., and served a notice on Mr. Bennett to produce the books. He refused to do so, and the umpire said that "it was not necessary to produce any proof of outlay;" * and although the Duke's valuator refused to go on, yet the agent of his grace thought it better to offer £575, which was calculated by them as follows:—Mr. Bennett stated before the Committee of the House of Commons on agricultural customs, that he paid annually about £300 a-year for artificial food and manure. They took this as the basis of their calculations, and thought that Mr. Bennett might be entitled to £300 for outlay in 1848; half that sum, £150, in 1847; and a fourth, £75, in 1846; and they offered Mr. Bennett £525. Now this sum was too much, as the outlay, supposing all Mr. Bennett said to be true, and

* Does any farmer belonging to the League keep books? But even if every man did, it is easy to get rid of a disagreeable book in Ireland. The polling book was once asked for before an Election Committee of the House of Commons, and it was not produced. "Where is it?" said the chairman. The answer was—"Be dad, it fell in a pot of broath, an' a dog ait it!"

assuming that the withheld books could prove it, for 1848 produced the crops of 1849, and for these the Duke was about to pay. The offer was, however, refused, and the umpire directed the Duke to pay for these improvements £1300. It was also ordered that the Duke should pay all the cost of the reference, the valuation, and award, £148 15s. The claim of Mr. Bennett upon the Duke was therefore as follows:—

	£	s.	d.
For Crops, Tillages, Live Stock and Dead,	4,578	8	10
For Buildings, &c.,	329	7	6
For Unexhausted Improvements,	1,300	0	0
The Costs,	148	15	0
	6,351	11	4

This sum was awarded to a tenant leaving a farm of 347 acres, let to him at one period for £270 a-year; at another, for £300 a-year.

Well, the Duke paid; paid it all without hesitation, although his valuator protested that the award was downright robbery; but what matter, the umpire had ruled that it was unnecessary to produce the books.

On Mr. Bennett's leaving the holding, it was at once taken by another farmer, subject to all Mr. Bennett's covenants, and for the remainder of the term. He also took the live and dead stock, the tillage and crops, at the valuation put upon them by the Duke's valuator, namely, £4200. He was also to pay for permanent improvements (*i. e.* buildings) and unexhausted improvements (*i. e.* manures, &c.) at the sum put upon them by the Duke's valuator, £250 in place of £329 7s. 6d.; £250 instead of £1300. Therefore, for his very practical attempt at valuation, the Duke finds himself out of pocket in the following sums:—

	£	s.	d.
Excess of Value of Crops, Tillage, and Dead and Live Stock,	372	18	0
Excess of Value on Permanent Improvements, Buildings, &c,	79	7	6
Excess of Value of Purchased Food and Manure,	1,050	0	0
	1,502	5	6

Or, in other words, about five years' rent of the holding.

Now here the reader has an example, and a very unpleasant one too, of the difficulty of a valuation; and we consider this an unfortunate case, as it furnishes an argument to those who deny the

right of the tenant to any compensation, as they say, "How are we to discover the real value of his improvements?" Our objection is not to the valuation of improvements, but to the valuation of land, with reference to the rent to be paid. The former we consider a just measure, the latter we look on as a Socialistic swindle. "Oh," say the League, "it is not a swindle, it is a righteous measure; we are the friends of the poor; ours is the school of true political economy, and one of the greatest economic writers of the age, Mr John Stuart Mill, supports us." "How absolute the knave is! we must speak by the card, or equivocation will undo us!" So says Hamlet of the lying grave-digger, and so say we of the unscrupulous leaguer; and that the reader may understand the exact amount of credit to be given to these men, when pretending that theirs is the only genuine shop for patriotism and political economy, we think it right to quote Mr. Mill's opinion of a valuation, and thus "speak by the card," and baffle this "absolute knave," who would "undo us by equivocation." At page 404, in the first volume of his "Principles of Political Economy," Mr. Mill writes of such a valuation as the Tenant League demands:—

"Let us then examine what means are afforded by the economical circumstances of Ireland for carrying this change into effect on a sufficiently large scale to accomplish the complete abolition of cottier tenancy. The mode which first suggests itself is the obvious and direct one of doing the thing outright by act of parliament, making the whole land of Ireland the property of the tenants, subject to the rent now really paid (not the nominal rents) as a fixed rent-charge. This, under the name of 'fixity of tenure,' was one of the demands of the Repeal Association during the most successful period of their agitation; and was better expressed by Mr. Conner, its earliest, most enthusiastic, and most indefatigable apostle, by the words, 'a valuation and a perpetuity.' In this measure, there would not, strictly speaking, be any injustice, provided the landlords were compensated for the present value of the chances of increase which they would be prospectively required to forego." And he continues, at page 405—"But though this measure is not beyond the competence of a just legislation, and would be no infringement of property, if the landlords had the option allowed them of giving up their lands

at the full value, reckoned at the ordinary number of years purchase, it is only fit to be adopted if the nature of the case admitted of no milder remedy. In the first place, it is a complete expropriation of the higher classes of Ireland, which, if there is any truth in the principles we have laid down, would be perfectly warrantable, but only if it were the sole means of effecting a greater public good."

This, as it seems to us, is very unlike an approval of the valuation principle. Mr. Mill contends, and justly,⁷ that when things have fallen into a very wretched state, and when the government is willing to pay the landlord the present value of his land, and to compensate him for the loss of probable future advances in prices, and when all the means of developing the resources of the country have been employed, in such a case the government might enact a valuation; but it will be "perfectly unwarrantable," unless it be "the sole means of effecting a greater public good;" because, as he writes in another place, "*laissez faire*, in short, should be the general practice; every departure from it, unless required by some great good, is a certain evil."* Precisely, as a surgeon says, if a broken leg cannot be cured by splints, and bandages, and time, why then we must only cut it off; but we'll try and set all to rights by less violent means.

Now we cannot find any support of the valuation humbug in the above quoted extracts from Mr. Mill's book; we cannot recollect that any law, of any country, enacts it; we cannot believe that Duffy or Lucas really think the scheme one to which any government ever can, or ever will, give assent; but we know the dodge may pay; for now, as in the days of the preacher, "the perverse are hard to be corrected, and the number of fools is infinite."

But it may be said we only differ with the plan of the League, and propose no measure for the redress of those evils, which confessedly disgrace the condition of the tenant farmers of Ireland. We have considered the subject carefully and anxiously; we have examined and compared the various laws which have, from time to time, been passed to regulate the landed interests of this country; and we believe, first, that the restricted leasing powers given under settlements—the tying up the living, and binding them, as it were, in

* Vol. II., p. 518.

mortmain, has been a very serious evil, and, to a great extent, the chief cause of many very miserable results upon the state of Ireland; secondly, we consider that the whole system of leases has been bad, and requires revision; and thirdly, we believe that the want of security for outlay on the part of the tenant, has been a fearful cause of injustice, and of non-progression. In Mr. Longfield's pamphlet, written for the purpose of explaining, in a popular way, the present law of landlord and tenant—of pointing out its defects, and of suggesting amendments, this subject is made plain and intelligible; and our only regret is, that, with all the legal learning Mr. Longfield has acquired, in preparing and compiling two such admirable books as his *Treatises on Ejectment and Replevin*, he has not devoted a quarter space, and entered more deeply into the subject of tenant-right. The pamphlet is well worth reading, and the suggestions in the fourth, seventh, and eighth sections, are entitled to very great attention.

When Mr. Sharman Crawford, in conjunction with Mr. O'Flaherty and Mr. Anstey, introduced his long looked for measure to the House of Commons last June, everybody expected to find it a scheme just and reasonable. The title was, "a Bill to provide for the better securing and regulating the custom of Tenant-Right, as practised in the province of Ulster, and to secure compensation to improving tenants in Ireland, who may not make claim under the same custom, and to limit the power of eviction in certain cases." Now, it seems to us, that the object of the bill, as expressed by the above title, was, beyond all doubt, most laudable; but the whole proposed measure was rendered absurd by the intended fourth section, which enacted, "that when the tenant was unable to pay the stipulated rent, he should be at liberty to have the land valued, and that if the landlord was not satisfied to set his land at a valuation made by his tenant's request, that then the tenant should be entitled to his full compensation. To the latter part of this clause we do not object. We think that the tenant should be compensated for all his permanent and unexhausted improvements; but why should valuers be called in to give their opinion of the *rent*? Let us suppose Mr. Crawford's bill passed, and in full operation, and let us assume that one of Mr. Crawford's tenants is

unable to pay the stipulated rent, and let us further suppose that the valuers are upon the ground, and about to commence the valuation. There is no necessity for electing an umpire, for by Mr. Crawford's bill a list of persons, selected by the justices to act as umpires, was to be made, and published. Well, the valuation is commenced, certain houses are proved to have been built, and certain lands are also shown to have been ploughed; but the house may be badly built—the ploughing may have been done in clay land, saturated by wet—harrowing may have been done at a time, and in a place, equally unfit—the manure may have been composed of stuff consisting of ditch sweepings and weeds; all the so-called improvements may have been made for the sole purpose of swelling the bill, and thus increasing the claim upon the landlord. One of the valuers, at all events, is a farmer; he may require a reduction of his own rent in a short time, and will, of course, find against the landlord. Evidence will not be wanting to support the claim of the tenant—sworn testimony can be procured to back all demands for outlay. Who can doubt the wide scope which Mr. Crawford's bill would give to perjury and general dishonesty? Who, that has any experience of a Quarter Sessions Court, can deny that perjury is a crime little likely to check the tenant farmer who considers himself or his friend aggrieved. It is even so in England, for, as Mr. Boniface, agent to the Duke of Norfolk, says—"When valuations are for things done in previous years, then there is danger of false claims being made, supported by false evidence."* No doubt this would be the case in Ireland; and excellent in intention as Mr. Crawford's bill was, we rejoice that it did not become law—first, because we believe it struck at the landlord's right of property; and, secondly, we think it gave a strong temptation to perjury.

For our part, we are of opinion that, first, Mr. Longfield's suggestion as to extended leasing power should be at once adopted; and we think that some such measure as he suggests must be the groundwork of all successful legislation on the subject. This point being settled, we believe that the tenant-right of Ulster should be the law of the land; that is, we consider that by act of par-

* Question 7,052, before Mr. Pusey's Committee.

liament the tenant should have secured to him the full value of all his permanent and unexhaustible improvements, and that he should be entitled to sell these improvements to his landlord, or to some incoming tenant, *approved by the landlord*. We think, too, that all buildings and fixtures put up by the tenant, at his own sole expense, though attached to the freehold, should be considered the property of the tenant, and if not purchased by the landlord, or incoming tenant, should be removable, at any time, during the tenancy of him who bought and erected them, provided he was satisfied to repair any damage done by the removal; and that tenants might not be able to overwhelm the landlord by a useless or needless outlay in improvements, we propose that in the lease or agreement, a clause should be inserted to the effect, that the tenant should not, on leaving, be entitled to payment for any expenditure during the six months preceding the time named for quitting, except made according to good husbandry; and that he shall not be allowed any sum for improvement in drainage, or other permanent improvements, unless the same shall have been first agreed to in writing by the landlord.

We are quite aware that our sketch is not sufficiently detailed; but our only object is to show that we consider the claims and rights both of landlord and tenant. We are likewise of opinion, that as our plan assumes a valuation of the improvements, it is open to all the evils and abuses so plainly inherent in Mr. Crawford's plan, and which so fully showed themselves in the case of the Duke of Bedford and Mr. Bennett. But the latter was one peculiar in its way; the cases under Mr. Crawford's bill would be those in which rent—the amount of a future rent—would be in question. We really believe that it is almost, if not quite impossible, to suggest any plan of valuation quite unexceptionable, and fully agreeable to all parties; but we are convinced that the Ulster Tenant Right and its valuation of improvements might be safely extended to the rest of Ireland; care being taken to secure clearness in the demands, and by requiring vouchers for claims of expended capital beyond certain amounts. To such a valuation as this—to such a law of landlord and tenant as we have sketched, in outline we admit, we give, and shall be always ready to give, our most ardent support; but on the other hand,

we think the Tenant Right agitation, so long as it shall claim a valuation for rent, must be opposed by every reasoning man in the kingdom, and should be met, as eventually it will, by all the rigor of the law. Mr. Lysaght has very ably stated the probable effects of making the Tenant League proposition binding by act of parliament. He writes—*

“1st—By converting the landlord's rent into a fixed rent-charge, they would deprive him of all interest in the improvement of the land, which would be alienated from him for ever, as an increase in its value would bring no increase of rent to him; and they would thus lessen the number of persons interested in the advancement of agriculture.

“2nd—They would have a direct tendency to increase the number of absentee landlords, since, with a fixed income, which they would have no power of increasing by residence on and attention to the management of their estates, they would naturally fix their residence where they could personally obtain the greatest advantages.

“3rd—They would have a considerable tendency to reduce the quantity of food produced in the country; as, under the present system of competition rents, unless a tenant raises from his farm agricultural produce of as large a market value, at as small a cost of production as others could at the time this rent was fixed, he cannot continue to pay the same rent, and must soon resign the farm to a tenant of more skill or industry. Under the proposed system of valuation rents, the supposition is that the rents would be lower than at present; consequently there would, at the letting of the farm, be a difference between the rent paid and that which it would be the interest of the tenant to pay rather than lose the possession of the farm; therefore, until the tenant, by mismanagement had reduced the value of his farm by more than the difference between the valuation and competition rents, it would be his interest to pay the rent fixed, and keep possession of his farm; and until he had thus far reduced its value, the proposed Tenant League legislation would prevent the landlord's interference to stay the depreciation in the value of his land. When, however, the depreciation of value had proceeded so far that no one could be found willing to pay the valuation rent, then the farm would come into the landlord's possession. On a re-letting, a new valuation would be made, which should, on the Tenant League principles, be lower than the previous one: thus we see that compulsory Tenant Right would injure both the landlord and the community, by facilitating the depreciation of the value and productive capabilities of the land. It may be said, the tenant would sell his interest, if unable to farm as profitably as others; but it must be remembered that two causes may lead to the depreciation of the value of a farm—first, a desire

on the part of the tenant to enrich himself at the expense of the future value of the land ; and secondly, an injudicious system of farming, the result of ignorance or want of industry, and injurious alike to the farmer and his landlord. The first clause would induce the tenant to keep possession of his farm as a means of furthering his supposed interest ; the ignorance and indolence which formed the second cause of depreciation of value, would render the tenant's success in any other pursuit even less probable than in farming, to which he had been accustomed, and when combined with the pride which usually accompanies ignorance, would lead him to attribute his want of success to any other cause rather than the real one, and would prevent a just appreciation of the most judicious course to be adopted.

"But it may be urged that the Tenant League does not demand compulsory valuation. It may be asserted that it only requires from the law a force to bind either landlord or tenant to submit to a valuation at the will of either. In our opinion, this plan is still worse than the tyrannical compulsory project ; this latter has at least the merit of a bold design, even though the design be the robbery of the landlord ; but in the optional valuation plan there is no merit whatever, and the sole result likely to spring from it is an implacable hatred upon the part of the landlord towards a tenant who would not be content to arrange the amount of rent without the interposition of third parties. Everybody remembers that when Mr. Pusey's Committee were suggesting improvements in the law regarding land, one of the difficulties to be surmounted was the likelihood of the landlord and tenant colluding, so that the landlord might get more than a valued rent, and thus defeat the law. But it is quite unnecessary to dwell upon this argument, as all must prove the utter absurdity of passing a law for the purpose of enabling a tenant to do that which he can at present do if his landlord agree. If the League be really honest in its intentions, the members must go for the compulsory valuation ; but this will be open robbery of the landlord, and will drive Sharman Crawford and all real friends still further from their ranks. In fact, the League is in this position ; that if the valuation is left optional, the whole movement is a humbug ; if it be made compulsory, all the grocers, and mercers, and bakers, and butchers, creditors of the landlord, must in justice be satisfied, or compelled to compound all their claims, and suffer for the good of the tenant farmer ; and all these absurdities must ever occur when men ask a government to meddle in the private affairs of the subject."

We regret that the Lord Lieutenant has not long since thought fit to check this society, and to scatter its absurdities for ever, by the suggestion of some wise enactment for the protection of the tenant. It is, we know, easy for a Viceroy to subscribe to societies for agricultural improvement ; it is a fine thing to send a set of

vagrant teachers of green-cropping and subsoil ploughing through the country; it is a pleasant thing to find one's self toasted at public dinners as a real friend to the agriculturist. But where is the real friendship in allowing a society such as the Tenant League to debauch the minds of the ignorant farmers? We can fancy a Lord Lieutenant who is anxious to obtain a character for finesse, smiling with self-gratulation at the Tenant Right movement; we can easily understand that a bold, unscrupulous Viceroy may say, "It is quite true that this Tenant League agitation must injure the country. I am satisfied that after a time disorganization will prevail if I allow the movement to continue. I shall be able to crush it, as I did the heroes of the Ballinagarry cabbage-garden, and their hopes, and in crushing this movement, I may be able to strangle for ever public spirit in Ireland." But would these be the words or the thoughts of an honest man or a great statesman? Beyond all doubt, Lord Clarendon did ably and humanely suppress the spirit of rebellion which so disgraced the country in 1848; but if he believe that no mischief can arise from this Tenant League agitation, we think he is entirely mistaken. It is quite true, as his great ancestor writes, that "the strength of rebellion consists in the private gloss which every man makes to himself upon the declared argument of it, not upon the reasons published and avowed, how specious and popular soever; and thence it comes to pass that most rebellions expire in a general detestation of the first promoters of them by those who kept them company in the prosecution, and discover their ends to be very different from their profession."* This was written of a successful rebellion. Our Irish rebellions have been ever unsuccessful, but yet we have had full means of proving all the baseness of "the promoters," and have "discovered their ends to be very different from their professions." Yet with all this knowledge—with the fact before them that Mr. Duffy, when on his trial, brought Dr. Blake, the Roman Catholic Bishop, to swear that at the very time when the *Nation* newspaper was most rebellious in its writings, Duffy, its proprietor and chief literary supporter, was expressing to him very opposite, very peaceable, and loyal sentiments, our people are still as easily duped as ever. They are willing to follow Duffy's advice—

* Lord Clarendon's Essays—"On Liberty."

they are ready to shout for Lucas, a man who has been every shade of belief, and who has come here a trafficker in politics and ultramontane religion; and although Lord Clarendon may find that the societies these men have started save him the necessity of an extensive staff of Dobbins, yet Ireland's interest demands the trial of another and a sterner line of policy.

We have said, and we repeat, that this society is a most dangerous one, and likely to be of infinite disservice to the country. We admit that the evils of the land system are great; and we consider that the only means of effectually checking them is by a full and perfect amendment of the entire code. But how can we expect this? We have seen every thing, and every interest, preferred to Ireland's by the imperial parliament. Manchester has been considered of more importance than our whole island; Birmingham has been looked upon as superior to the entire of Munster. Lord John's only wish appears to be to find the readiest way of showing his entire concurrence in the selfish sophistries, and platitudinous tirades of Cobden and Bright. To please these men we have seen Ireland's sole means of support, agriculture, scattered to the wind; for the benefit of the English manufacturers Ireland has been, from the highest to the lowest of her sons, pauperised. Well, has it been asked, and ably answered:—

“Why is Ireland a burdensome beggar? Why is she a cancer in the body politic? Why are her representatives pointed at with the finger of contempt, and why does the house groan when they rise to speak? How is it that her fields are empty and desolate, and her workhouses crowded literally with armies of paupers? Five thousand human beings shut up in one union—five thousand, in one district alone, quartered in an enormous barrack, and eating in idleness the bread of the industrious! Five thousand who ought to be employed in the development of the resources of that rich, but desolate and unproductive land.

“Where are we to look for the causes of this frightful state of things? We are told to the poor laws—to the tenure of land—to the defective provision for the relations between landlord and tenant—to the nature and inherent qualities of the people. Nonsense; all these phenomena are but effects, not causes. We must look further back in the history of Ireland if we want to find out the cause. We must probe deeper if we would find out the obstruction which prevents the flow of a healthy circulation through

the system. Sir Winston Barron was not very wide of the mark when he mentioned the abolition of our protective policy as one of the causes of Ireland's increasing distress. But he did not go quite far enough back. Had he looked more carefully into the commercial history of his country, he would have seen that the policy of Manchester, which that turbulent and greedy district has from time to time forced upon various parliaments by pressure from without, has been the great upas tree that has overshadowed Ireland, and withered the growth of her infant manufactures ere they could well take root.

"For the sake of feeding the prosperity of Manchester—for the sake of giving to Lancashire and Yorkshire the monopoly of manufactures in cottons and woollens, the English parliament crushed in her powerful grasp the tender growth of Ireland. Manchester, which now seeks to bolster her trade by free imports, then sought to protect herself by restrictive legislation from competition—not merely the competition of foreign countries, but from a competition consequent on the nascent development of the industry and resources of an integral portion of the British empire. Parliament, in obedience to the clamour of Manchester, said to Ireland:—We well know that you have facilities not inferior to Lancashire for the production of cottons, woollens, and linens, but you shall not make use of the gifts which God has bestowed upon you, because we *must* foster Manchester, and Manchester says she cannot stand open competition, or run in the race at even weights.

"Well, the result of this policy was, that we forced Ireland to become a purely agricultural country. The cultivation of the soil became the sole channel in which Irish capital could direct itself, and the sole field in which Irish industry could exercise itself. Ireland became, perforce, a nation of small farmers; and, as in all instances where there is no admixture of manufacturing population to afford a market at home, became almost entirely dependent on the demand of consumers without her own boundaries. This condition begot naturally an extravagant and unreasoning passion for the possession of land. It was the parent of the middleman and con-acre system, and of the vicious and mischievous relations between landlord and tenant, about which we have so much evidence, and which we have made such feeble efforts to amend. Notwithstanding these disadvantages, Ireland contrived to make progress. She exported large quantities of provisions to our colonies, and supplied England to a very considerable amount with corn and cattle, an amount which increased as consumption trod hard on the heels of production in this country.

"Well, this market became thus the sole dependence of the Irish producer, and in spite of many obstacles she made a good deal of profit out of it. Manchester, however, has again stepped in; and the British parliament, yielding to her clamour, has again put an extinguisher on the Irish producer. We have taken away from him the English and the colo-

nial markets, and have handed them over to the American, the Pole, and the Frenchman, because Manchester fancied it would bolster up her tottering monopoly. The result has been the displacement of Irish produce to the value of nearly £6,000,000 annually, and the emigration of her capital, and the best of her labour, to those countries to which we have transferred our custom.”*

Just so, when the corn laws were under discussion, the Messrs. Sturge asserted, at a public meeting, that Odessa wheat could not be delivered in England at less cost than 20s. the quarter, irrespective of its price at Odessa; but within the past eight months several hundred cargoes have been sold, and delivered at London and Liverpool, for 32s. and 34s. per quarter. Mr. Wilson, of the *Examiner*, estimated, in his “Influences of the Corn Laws,” the cost of the shipment of wheat from Dantzic to London, including commission, at 27s. 9d. the quarter; but at present the best Dantzic wheat is offered in Leith, free, for about 44s. the quarter. And Mr. McCulloch stated in 1845—“It rarely happens that it would be possible to import good wheat into this country with a low duty of 5s. or 6s. a quarter, and that under such a system we should be supplied with corn when it was really wanted, and with the quantity wanted.” So much for Manchester economic science, and bungling, spurious Brummagem prophecies.†

Although we think no Irishman can deny the truth of the above-quoted powerful statement of our wrongs, yet we know that Bright and Milner Gibson may glorify themselves at a Manchester tea-party, and proclaim themselves the friends of the people—that Cobden may cry, like little Jack Horner, “what a great boy am I!”—and we are quite sure that all these will abuse the Irish landlords—men who in many instances have done more good for their tenants, and endured more vexation and expense in assisting them, than all the cotton-spinners in Lancashire put together have thought of attempting for their hard-worked people. We have stated facts,

* *Morning Post*, April 10th, 1851.

† The average quantity of French flour imported into Liverpool weekly, is 40,000 sacks; 13,000 sacks have been imported into Ireland. In the first quarter of the present year France exported to the United Kingdom 792,923 cwt. of flour, and 600,000 quarters of corn. Nice news for the Irish millers.—See *Lord Glengall's able speech, delivered, House of Lords, May 12th.*

strongly, but truly; and we repeat, that Lord Clarendon owes to the Queen he represents, to support a just Tenant Right bill, and to put down, by the power of the law, this mischief-spreading Tenant League. We know that tenants, heretofore contented, have, within the past six or eight months, become dissatisfied with their condition, and careless of their farms. We know that a farm was let, twelve months since, to a tenant who had placed his own rent upon it; and yet this same man is now discontented. He pays a fair rent, but then his landlord is not a "dormant partner;" and so the tenant thinks himself a victim. Money has been squandered, and turbulent feelings have been excited through the country by the electioneering speeches of the vagrant and mountebank League spouters. It is easy, very easy, to induce gentlemen to contest elections on Tenant League principles. A respectable gentleman, and a clever one too, such as Mr. Maguire, can be seduced or inveigled into spending his money; an amiable, well-meaning man, with a good deal of the Fizzle in his disposition, like Sergeant Shee, may be induced to tumble on the platform for the special profit of Messrs. Duffy, Lucas, and Co.; but the question, and the important one, is—can this state of things continue, and continue to the destruction of order and right feeling in Ireland? We really and sincerely believe, that if a just measure of relief for both landlord and tenant were passed, the present cry would be at once silenced. We do not mean a strangled bill, such as Sir William Somerville introduced, but one securing to the tenant every farthing of his outlay. The present system is so bad, that it cannot last; or if it be upheld, the ruin of Ireland must follow from its continuance. Thirty years ago, Sir Walter Scott wrote—"The time will come when the whole land will be hypothecated to the poor, and, by the strongest and most unexpected of revolutions, the labourers in the country will be substantially in possession of the whole rental of that soil in which participation is now refused them." Prophetic language! The time has come in Ireland; and by the misgovernment of England—by the absurdity of Manchester and Birmingham political economy, the whole land is "hypothecated to the poor." In Kilrush and Castlebar, "the labourers are substantially in possession of the whole rental of the soil." All is hypothecated—the very huts sold—all, all is

swamped by the rate, "*usque ad cælum et ad infernos.*" The time for delay is passed; the farmer is every day leaving our shore; his industry and capital are being taken from us for ever; the evils of the land system—the evils which drive him from us, are plain and fully known. It is the duty of the minister to remedy these evils, and to remedy them, heedless of the yelping of a demagogue faction, or the opposition of a selfish oligarchy.

ART. V.—TRANSATLANTIC COMMUNICATION.

1. *Plan for Shortening the Time of Passage between New York and London, with documents relating thereto, including the Proceedings of the Railway Convention at Portland, Maine.* Portland: Harmon and Williams, 1850.
2. *Final Report of the Officers employed on the Survey of the Line for the Quebec and Halifax Railway, with the subsequent Correspondence thereon, and on the Public Works in Canada.* Presented to both Houses of Parliament, by command of Her Majesty, Feb. 1849. London: William Clowes and Sons, 1849.
3. *Galway Transatlantic Steam Packet Company Nautical and Statistical Report, with Time and Traffic Tables.* Dublin: Mullany, 1851.

THIRTEEN years have elapsed since the Commissioners appointed to consider and recommend a general system of railways for Ireland published their report. Amongst other subjects of importance which came under their notice, and to which they devoted a considerable portion of their attention, was the inquiry—Does Ireland, as compared with England, offer any peculiar facilities for a steam communication with America?

"If the question," write the Commissioners, "were limited to the consideration of the facility with which a voyage could be made from port to port, the answer must necessarily be in the affirmative; for not only are the southern and western harbours of Ireland nearer to America in lineal distance, but they are also more favourably situated as regards the prevailing winds and currents of the Atlantic. This fact has been so thoroughly established in the parliamentary reports on the western harbours of Ireland in 1834, and in the first and second reports on the public works of Ireland,

as to render any further enquiry on the subject, in this place, quite unnecessary.

"A saving in distance is always an object of importance in steam navigation, but it is of peculiar value when the entire voyage is supposed to verge on the point which will scarcely admit of the carriage of sufficient fuel, exclusive of any other cargo.

"But the subject includes a wider range of inquiry than that which depends on the distance from point to point. It involves also a consideration relative to the amount of probable traffic, and how far it may be such as to counterbalance the disadvantages of a more remote position.

"On the whole," conclude the Commissioners, after minutely enquiring into the subject, "we consider that Cork, under present circumstances, will answer every purpose for which a western port can be required to promote a steam communication with America. It offers, however, at this moment, no other advantage than that of a port where vessels may complete their supply of fuel previous to taking their final departure."

This report is valuable for two reasons. It, in the first place, establishes beyond a doubt that Ireland possesses natural facilities for communication with the New World, superior beyond all comparison to those possessed by England; and secondly, that notwithstanding the various difficulties which at that period existed, from the want of internal communication through Ireland, an Irish port was even then admitted to possess advantages which were not shared in, by any of the English packet stations. Yet when we consider that, since the time when the above was written, many great and important changes have taken place; that the social condition of the country has been revolutionized, the facilities for travelling wonderfully increased, and the rapid progress of the arts and sciences in every avenue connected with social comfort and commercial advancement, have effected a lasting, and, it is to be hoped, a beneficial influence on the prospects of the future; it is quite evident that the conclusions at which the Commissioners *then* arrived must be considerably affected by the change.

The question therefore is, how far the commercial and social wants of the British empire, and her North American colonies, demand, *under existing circumstances*, the establishment of a Transatlantic Packet Station at some one or other of the western ports of Ireland? That some change and improvement on the present mode of communication would be advisable cannot admit of a doubt; and we should

have derived but little benefit from the experience of the last few years, in what we may call the science of international communication, if we were slow to admit the truth of this remark. By what means this result may be effectuated, is a consideration of the highest possible importance, and its solution is now felt by all classes of the public as a question involving the future interest and commercial welfare of Great Britain and Ireland, and in a great measure, the security and attachment of our North American colonies.

But now that the question has begun to be mooted—now that it is generally understood that the Committee appointed for inquiring into the subject will recommend some change upon the present system—it is proper that the public should take care that that change will be such as to satisfy the public necessity. It is quite absurd to imagine that the removal of the packet station from Liverpool to Holyhead—the latter harbour requiring an immense outlay of money to adapt it for such a purpose—or, as has been lately insisted, that while Liverpool should still continue, as now, to be the packet station for the reception of passengers and parcels, the mails should be taken in at Holyhead—it is quite absurd, we repeat, to imagine that the public will be satisfied with such a recommendation. The Commissioners *may* perhaps, have to meet the opposition of a powerful and wealthy but prejudiced class; they *may* perhaps, give way and yield to the influence brought to bear on them, and agree to a resolution, which amounts to nothing more or less than the assertion, that Holyhead is nearer to America than Galway or Valencia; this event may happen, and the solution of the question may be thus deferred, but it cannot, in consequence, be permanently postponed. So evident are the advantages presented by the selection of an Irish port for the purposes of “Transatlantic Communication,” that before long, private enterprise and private capital, will, we have little doubt, take the matter out of the control of the government, and establish at some one of the western harbours of Ireland a packet station, for the purpose of carrying out this great national undertaking.

In laying before the reader the following considerations, we would wish to premise, that it is our anxious desire to discuss this question on grounds which affect the interests of the empire at large. We are

heartily tired of that class of persons who devote the entire of their time, in extracting from the history of the last three centuries instances of mismanagement on the part of the English government towards this country, for the mere purpose of venting their spleen, or avenging the shades of disappointed expectations. It is sufficient for all useful purposes that a sense of past misconduct, accompanied by a desire to atone for past errors by the pursuit of a different policy for the future, should generally prevail. It is ignorance, or a wilful denial of just claims, which we alone censure and deprecate. The events of the past, save so far as they affect the future, should be for once and for ever forgotten; and a copious draught of the waters of Lethe would be, in our opinion, the best physic ever administered to the Irish people.

But holding such opinions, we nevertheless claim our just rights, and assert our privileges; as subjects of the same sovereign, we claim to be treated on equal terms with our other fellow-subjects; we object to be dealt with as *mere* Irish. As a portion of the British Empire, we object to the preference of one class or one locality over the other, in a matter which equally concerns and affects all, except that preference is the result of superior merit; and we arraign before the bar of public opinion any and every set of men—however numerous, however wealthy, and however influential—who use the advantages they naturally enjoy, to mislead those who confide in their representations, and who postpone the interest of the commonwealth to their own aggrandisement.

We feel some difficulty, we must confess, in bringing ourselves to believe that the Commissioners will arrive at a conclusion opposed to the establishment of a Transatlantic packet station on the west coast of Ireland. The commercial interests of Great Britain demand it; Ireland especially requires it—not so much to satisfy as to create a want; and the British states of North America join in claiming from Her Majesty's government the adoption of some measure to arrest the rapid progress of decay, now so visible in her commercial interests.

Many years have not yet elapsed, since the advisability of establishing a Transatlantic packet station at Havre, or some other French port, in preference to a British one, was seriously discussed by the

commercial world; and the mode then adopted, for the purpose of retaining to Great Britain the vast benefits she has since enjoyed, was by providing facilities for communication between the two countries superior to those which then existed, or which were likely to be adopted by the French government. We are not so sure that the advantages of a French port have ceased even yet to be discussed; the reasons therefore which were formerly urged, and the means which were then adopted, for the purpose of securing to Great Britain the advantages above alluded to, now operate with double force, and are now more than ever necessary for the purpose of retaining them.

The natural position of Ireland on the map of Europe at once suggests the *means* which should be adopted for this purpose; and it should at the same time be remembered, that it is not the mere benefit accruing from a voyage shorter by some two or three hundred miles, which would alone be gained, but that the length of passage in *point of time* would also be decreased in a proportion far greater than the distance saved; for it is well known, that a much greater speed can be attained to by a steam-vessel in a short and safe voyage, than in a longer and more hazardous one; besides, too, about one-third of the entire passage, and that the most dangerous portion of it, will be avoided, the risk to which human life is exposed, thereby decreased, and a vast gain to the mercantile community effected, in consequence of the lesser risk incurred.

We have therefore little doubt that we shall be able to establish, by our succeeding observations, that the establishment of an American packet station on the western coast of Ireland, is a matter of equal importance, whether the welfare of our North American colonies, the social condition of Ireland, or the commercial interests of Great Britain, be taken into consideration.

The evidence taken before the Commissioners of Western Harbours, in 1834, is exceedingly important, as showing the opinions and sentiments of men who were fully qualified to form a correct and proper judgment on the matter; and we feel desirous of laying before our readers a few extracts from their Report, inasmuch as they bear directly on the question, and as there are many who may not have the opportunity of consulting the Report itself.

Captain Beaufort, hydrographer to the Admiralty, was asked by the Commissioners—

“What would be the advantages, with respect to embarkation for the west and south of Europe and America generally, by choosing a harbour on the west of Ireland, instead of one within the channel? The first object of vessels bound to the Mediterranean, or to the West Indies, on the supposition of an adverse wind, is to get far enough out of the channel, to be able to adopt either tack, without fear of the land; for when it blows hard no ship can work to windward without sufficient room to make long stretches, and to take advantage of the changes of winds and tides. The next object is, when once fairly out, to gain sufficient westing to fetch round Cape Finistere. *Now by sailing from a port on the west coast of Ireland both these objects are secured.*”

The Duke of Wellington stated it to be his opinion, without any doubt—

“That communication would be carried on with much more certainty from the south-west coast of Ireland, than it is now from Falmouth, or any port to the eastward.”

Mr. Charles Williams considered—

“That general advantages would result to commercial correspondence, and much convenience afforded to all who are interested in it, if a communication between the western part of Ireland and the American continent were established.”

In addition to which, Captain Burgoyne stated—

“That there would seem strong reasons to believe that a packet station from the most western port in Ireland might be advantageous to the empire; first, it would shorten the voyage in some degree in distance, *and in a great degree in time*; secondly, it would materially benefit the prosperity of the country, and the revenue, by lengthening the transit through the country.”

Captain Evans, R.N., stated in his examination, that it was his opinion—

“That if the communication through Ireland were improved, the sea voyage, undoubtedly, would possess very great advantage over the sea voyage from any port in England.”

Since that period the communication through Ireland *has been* improved.

Sir John Franklin, for whose safety so many exertions are now

being made, added his testimony to the above; and as it is very important and bears strongly on the subject, we venture to give an extract from it, in addition to the above:—

“Do you conceive the establishing a communication between the British empire, and the North American colonies, and North America generally, through that country, would be of *essential benefit to Ireland*? *I think so, decidedly.*

“Is it your opinion that it would also be attended with advantage to the empire in general? I think it would, inasmuch as it would greatly improve Ireland itself; the very circumstance of the employment, and the facilitating the means of conveyance from one place to the other in that country, would be advantageous.

“You conceive the facility of conveyance between this country and America would be facilitated by its passage through Ireland? The time would be saved very much; and if there were certain ports prepared to receive ships, I think many vessels, that now come round to Liverpool, and other places, would have no objection to bring cargoes to the western ports of Ireland, supposing there were pilots for each harbour, and they were properly lighted and buoyed.”

Here then lies the real secret of the opposition to this measure. Well do the merchants of Liverpool and Glasgow know how the result would in a short time prove the truth of Sir John Franklin’s words:—“Many vessels, that now come round to Liverpool, and other places, would have no objection to bring cargoes to the western ports of Ireland.”

“Notandi sunt tibi mores.”

Such are the opinions of those perfectly acquainted with the subject, fully competent to form an opinion, and uninfluenced by any feelings of self-interest in the result. Stronger evidence on this subject could not possibly be desired.

But it is not alone in a commercial point of view, that the establishment of a packet station on the western coast of Ireland would be of advantage to the empire at large. Europe has now enjoyed a peace of unparalleled duration; it is probable that the time will come, sooner or later, when a war, unequalled in the history of the world, will arise. If such does occur, a destruction of life and property, never before equalled, will most probably form its chief characteristic. We do not pretend to know the mysteries concealed

behind the veil of the future; but it does not require any great skill in the prophetic art to foretell, that an European war, or a war for the protection of our North American colonies, is neither an impossibility or an improbability. Now, what will be said of the following facts:—In the month of November, 1779, Admiral Christian embarked at Plymouth in the command of an expedition to the West Indies; after repeated attempts to clear the channel, he was ultimately compelled to return, and defer his departure until the month of March in the following year. Again, in the year 1818, during the Peninsular war, the greatest inconvenience was experienced from the delay of a fleet of transports under the command of Sir Joseph York; the troops had been embarked in England, and the fleet, having come out into the channel, was driven by stress of weather into Cork harbour where they were detained *for several weeks*. If such occurrences were to take place in the next war, how awful might not the consequences be. But what is the evidence of the Duke of Wellington, the best authority on such a subject? In allusion to the delay of Admiral Christian's fleet, in 1779, he states:—

“I should think that if such preparations for the establishment of a port upon the south-west coast of Ireland, as are now under consideration, had at that time been made, and supposing that there had been the means of collecting and embarking such a body of troops at that port at that time”—(and let our readers remember that such means now exist)—“the violent gales, which prevented the progress of that fleet, would have been a fair wind for the first part of the voyage, and would have enabled this fleet to have made such progress as that it would have arrived in the West Indies in a very short space of time.”

Twelve vessels of this fleet, not being able to weather the beak of Northland in their attempt to reach Torbay, were lost, with all hands on board. The establishment of such a station would be, in the contingency of a war, of the highest importance to our mercantile marine. It is a well established fact, that a vast majority of the captures made by the French cruisers, during the late war, were effected in the channel, at no great distance from Brest. This portion of the voyage, by far the most dangerous for homeward bound vessels with valuable cargoes, would be avoided, and the voyage

itself shortened by a distance of little less than 200 miles from Falmouth; nor even, making due allowance for the advantages derived from steam navigation, can the benefits to be derived be disregarded.

Captain Haynes was asked:—

“Do you conceive that the choice of a suitable harbour for *steam vessels*, on the western coast of Ireland, would considerably increase the naval means of these countries in time of war? Certainly.

“Is it your opinion that such an harbour would also facilitate, and take away much of the danger now existing in our communication with our colonies in time of war? It would *certainly defeat the enterprise of such cruisers as issued forth from the north-west ports of France, who were continually harrassing our convoys in the last war, and looking out for our homeward bound packets, which were frequently charged with conveyance of specie.*”

It can hardly then be denied, giving its due weight to the above evidence, that it is the imperative duty of her Majesty's government to take such steps as, in the event of a war, will prevent the re-occurrence of such mismanagement as we have above alluded to, add materially to the effective working of our naval resources, and to the safety of our commerce.

The selection of any particular port for the purposes of “Transatlantic Communication” is a question of minor importance when compared with the grand object of the movement—that of asserting the pre-eminent advantages possessed by Ireland for such a purpose. Galway, Valencia, Limerick, Cork, and other ports, have their advocates and claims. We do not intend to enter into a discussion of their respective merits; we have, no doubt, selected Galway as the port best adapted in our minds for the purposes of a Transatlantic packet station, and we have arrived at that conclusion from a careful examination of the various documents which we have had an opportunity of consulting; but, at the same time, we do not wish to throw discredit on the claims (and they are many) of any of the other ports we have mentioned above. As far as Limerick, however, is concerned, we must state our belief, that its chances of success are materially injured, in consequence of the serious errors committed by the commissioners for the improvement of the navigation of the Shannon. A vast sum of money has been expended by them, and though we are far from saying that much good has

not been effected, yet we believe that the funds voted by government for the purpose, might have been turned to a much better account. We challenge those gentlemen, who have had the control of the undertaking, to deny that gross errors have been committed as regards the levels in the neighbourhood of Athlone.

There are few ports in Europe so well adapted for the purposes of "Transatlantic Communication" as that of Galway. Situated in latitude $53^{\circ} 13'$ north, and $90^{\circ} 13'$ west longitude, it is only about 2,000 miles distant from Cape Canso, in Nova Scotia. The line of railway from Galway to Dublin, is, we may say, now complete; while the metropolis of the world—the scene of the world's fancy fair—may now be reached in less than twelve hours from the latter city. As to the facilities on the other side of the "Ferry;" the usual line of route, from Liverpool to New York, passes near Cape Canso, thence along the coast of Nova Scotia, and continuing parallel to the shore of New Brunswick and Maine, at length arrives at its final destination—New York. The distance from Cape Cause to New York is about 1,000 miles, being about the same by land as by sea, which distance can be traversed in nearly one-third less time by the former than on the latter. Of this 1,000 miles about 400 may at present be travelled by railway from New York to Boston, and thence to Portland; while it is proposed by a company which has lately been formed—the European and North American Railway Company—to complete the line to Halifax. From a consideration of these circumstances a fair idea may be obtained of the vast and important nature of the changes sought to be effected in the mode in which "Transatlantic Communication" is at present carried on.

There is no harbour in the world, except perhaps Vigo on the coast of Spain, which can compare with Galway in the advantages it derives from its natural position. The superficial extent of Galway bay is about 400,000 fathoms, while there is a depth of water at low tide varying from ten to three fathoms in different places. The facilities presented for the entrance of the tide by the channels formed on the north and south side of the Arran islands, and which increases the depth of water in the bay by from twelve to eighteen feet according to the force of the wind, prevents the formation

of sand banks, or dangerous currents. The Blackhead mountains, rising at the entrance of the bay to the height of 1,027 feet above the level of the sea, renders the approach for all homeward bound vessels particularly safe, being visible at many miles distance, both north and south, of the proposed line of navigation. The bay itself, writes Captain Richards—a gentleman who, from long personal experience, has had every opportunity of gaining accurate information on the subject,

“Is of easy access, and a good outlet. The Arran Islands break off the western sea, and there is good shelter for ships to bring inside of the great island, with westerly wind in summer time. The land is high and bold, has an excellent light, which, being very high, is easily discovered coming from the westward, and it is a noble landfall for vessels running up the bay of Galway. Gregory’s Sound is a safe passage. If to the north, the Slyne headlights at night, and the lighthouse by day, are good marks for the northern passage, which is wide. The Clare mountains and land are high, and therefore easily made out, more especially as I have found that the bay is not frequented by thick fogs, such as exist on the south coast. Blackhead is a fine bold landmark, and has good shelter, with south-west winds. There is a good light on Mutton Island, by which you are to move on to the roadstead, which has a stiff blue clay bottom.”

This description proves Galway to possess the natural qualities of a first-class harbour; but it is peculiarly well situated as regards a most important consideration in the selection of a Transatlantic packet station. The mean direction of the average winds on the western coast of Ireland is of the highest importance, when comparing the relative merits of different harbours. With a view to this consideration, the coast of Galway possesses peculiar advantages. When Captain Beaufort, to whose opinion we before alluded, stated, as the result of his experience—“That, in comparing the coasts of the two countries, Ireland seems to have this advantage—that a vessel once out of any of her western harbours can weather the land, either on one tack or the other.” He must have arrived at the conclusion chiefly from a consideration of the mean direction of the wind. “During the last ten years,” he states, “there were in each year 186 days of westerly winds, and 101 days of easterly, the general mean wind for the whole period was S. 80° W.—about the sixth part of each year.

Just then," he adds, "in the ratio of this prevalent wind is the advantage of preferring a western harbour." Now let us for a moment consider in what manner this SW. wind is likely to affect the coast in the neighbourhood of Galway. It has been alleged that Galway would in consequence become, during the greater proportion of the year, a lee shore, and therefore, more or less dangerous for vessels approaching from the westward; and queries have been distributed by the Commissioners at present sitting on this inquiry, as to whether Galway is, or is not, a lee shore during the prevailing W. and SW. wind. At first sight this question seems to materially affect the claims of Galway, and it is, therefore, necessary to have clear ideas upon the subject:—

"What is technically called a lee shore," writes Captain Richards, in a letter with which we have been favoured, "is a wind blowing at right angles on the bearings of the shore; the wind should be from NW. to N. to make Galway a lee shore, or at right angles with NE. to E., so that the prevailing wind, say SW.—that is, between south and west—would be an along-shore wind, or parallel with the shore, in the neighbourhood of Galway; whereas, the same wind would make the entire coast, from Cork to the Blaskets, a lee shore." He further adds—"The wind which would make Galway a lee shore—that is, a NW. wind—makes the atmosphere quite clear, so that a ship may boldly approach the land."

A glance at the position of Galway Bay on the map of Ireland will explain Captain Richards' observations.

It would thus appear, that the prevailing winds on the western coast of Ireland are such as would enable a vessel to approach the land in the neighbourhood of Galway with perfect safety; that the same observations cannot be applied with equal force to any other port on the western coast; and finally, that during the continuance of winds which blow at right angles to the shore, the atmosphere is perfectly clear, and free from thick and foggy weather.

Among other interesting information to be derived from the evidence of Captain Beaufort are some calculations on the effect of the prevailing winds on the westward-bound vessels starting from ports within the Channel, and from harbours on the western coast of Ireland, respectively. From a careful comparison of the log-books of thirty vessels, he found that the result gave a saving of $4\frac{1}{2}$ days in favour of the Irish station; and he adds what, by the way, is most

important in the consideration of this question, "that celerity is not the only point of contrast; the saving of four or five days in the wear and tear of the vessels, and in the health and comfort of the passengers, are considerations of much weight;" and—what we may here state in order to anticipate an objection—"that though a steamer succeeds in getting to windward against the wind, yet it has a most powerful effect in checking her velocity when against her, and therefore my reasoning would *still apply*, though in a less proportion."

Since the above evidence was given, vast improvements have no doubt been made in the science of steam navigation; but notwithstanding, the reasoning on which Captain Beaufort's conclusions are founded is manifestly correct, and the conclusions themselves are consequently entitled to weight.

In addition to the several advantages above enumerated, it must not be forgotten, that the route from a western port, such as Galway, to Halifax, may be traversed with much less risk than the usual course from Liverpool or Holyhead. Among other matters it may be remarked, that with the approach of summer vast blocks and banks of ice, becoming separated from the continent, are carried down from the northern latitudes, by the force of the Gulf stream, into warmer climates; where the stream having lost a portion of its violence, they remain in a measure stationary, until finally yielding to the warmth of the climate, they dissolve, and sink into the ocean. The force and direction of the Gulf stream has established the fact, that a space varying from 15 to 20 degrees is left comparatively free for all purposes of navigation. Those who have made frequent voyages across this portion of the Atlantic, can certify to this fact; indeed, the loss of the ill-fated "President," from some such cause, as it is well conjectured, proves sufficiently the danger which is incurred. Now it so happens, that the direct course of vessels from the port of Galway lies through a much greater portion of this open path, than that of vessels which are compelled to pursue a more southerly course.

Nor can Galway be said to be deficient in the artificial improvements necessary for a first-rate harbour. There is hardly any other port on the western coast of Ireland which would require a less out-

lay of money to fit it for the proposed station. Her floating docks occupy at present a space of five acres, and are easily capable of further enlargement if necessary. There is no lack of room or capabilities for the formation of wet docks, where the railway embankment runs across Lough Atalia. But the final completion of the railway from Mullingar to Galway gives it an undoubted advantage over the other harbours which claim the favourable decision of the Commissioners. We have already alluded to Limerick. In addition to the circumstances which we have mentioned above, it would be absolutely necessary, if Limerick were selected, to construct a railway to Tarbert. Valentia and Beerhaven must abandon their claims, at all events until the resources of the country are more developed, and railways which do not now exist have been constructed. As far as Cork, too, is concerned, we fear that it can hardly expect a recommendation in its favour. If Cork occupied a more westerly position, we would not for a moment dispute its claims; it would then undoubtedly possess every qualification for the purpose; but Cork, at the very most, is only adapted for a port of call; this, indeed, was admitted so long ago as the Report of the Railway Commissioners, in 1838, a portion of which we have extracted above. But there are serious objections in our minds, to a port of call under any circumstances; there is always delay attending stoppages of this kind, and of course in bad and stormy weather there is increased danger. Captain Richards well remarks—

“That there is double risk in putting into two ports, a greater anxiety to the captain, and dissatisfaction to the passengers. The great horror of a captain is, the approaching land until it is absolutely necessary; while the delay could scarcely be calculated to be less than twenty-four hours.”

We fear, too, that the difficulty in leaving the harbour during the prevalence of southerly winds, must materially injure her claims. Captain Richards states, “that with a stiff southerly wind vessels cannot beat out, owing to the heavy cross sea at the entrance of the harbour, increased by an ebb tide.” Cork was also *especially excluded* from the recommendation given by the several gentlemen who were examined by the Western Harbour Commissioners, in favor of a western packet station. Viscount Beaufort was asked, whether he included Cork, when he spoke of a southern or western port—

"No," said he, "I do not include any port in which the wind which will take you on your voyage will not permit you to go out of it."

Again Captain Haynes considered "that there was great difficulty in getting convoys out of Cork harbour." Sir John Franklin conceived that the objection he had to ports within the channel applied, though not so strongly, to Cork harbour; while Mr. Williams stated "that the situation of Cork was unfavourable on account of the set of the current, and that there would be a great advantage in sailing from a *port west* of Cape Clear."

We almost anticipate that the objection will be again urged, that the advantage presented by steam navigation removes all these difficulties. We have already presented to our readers, some evidence on this point, and we venture to add this one additional extract on the manner in which the more general employment of steamers would affect the above conclusions :—

Mr. Williams examined.

"What time do you suppose a first-class steamer would take to go against a strong gale of wind from Cork to the longitude of one of the Western harbours? We have found a day occupied in coming from Cork to the parallel of the Western ports, and we had to put back again to Cork."

It would appear from the foregoing remarks, that the establishment of a Packet Station on the Western Coast of Ireland, is a matter of vast importance to the interests of the empire; and secondly, that the port of Galway, from its geographical position and natural advantages, possesses sufficient merits to justify its selection for the purposes of "Transatlantic Communication." It may be well, however, before proceeding further, to enquire into the practicability of carrying out the scheme through the medium of private speculation, in case the English government refuse, as we fear they will do, to promote this national undertaking with pecuniary assistance.

The distance of Liverpool from new New York is calculated to be about 3,100 miles, and it is conceived that the voyage is *capable* of being performed in from six to eight days, instead of, as at present, fourteen. This vast difference could of course only be effected by the joint combination of the following circumstances :—by shortening the sea voyage; by completing the proposed railway from Waterville

to Halifax; and by placing on the line between Galway and the latter harbour, steamers of greater size and power than those at present in use. It is calculated that, by their dispensing with many matters which are at present necessary in consequence of the greater length of voyage, the passage may be performed in such a time as would prove of great benefit to the public, and return a fair and satisfactory remuneration to those who should join in the enterprize.

The adoption of any one or other of the above propositions would of course tend to shorten the passage considerably in point of time, but inasmuch as the proposed railway from Halifax to Waterville cannot be completed in less time than three or four years, the result which *may be* at some future time arrived at, can only be approximated to at the present.

Boston has heretofore been fixed on, as the port of embarkation on the other side of the "Atlantic ferry;" and it is conceived that the increased amount of passenger traffic, the carriage of valuable goods and parcels, and the conveyance of the mails, would alone amply repay the outlay expended by a company formed for the purpose of carrying into effect the proposed design. We will, therefore, simply enquire into the grounds of this expectation, and lay before our readers some of the calculations on which the Galway Transatlantic Steam Packet Company claim their patronage and support.

It is unnecessary to consider at any length, in how short a space of time the voyage *might be effected*, by placing on the line vessels of from 2,000 to 2,500 tons, and of 800 to 1000 horse power—vessels which, according to the calculation of Mr. M'Calmont, might attain a speed of from 15 to 17 miles an hour, and consequently perform the voyage in a proportionately short time. We conceive it more advisable, to base our present observations on the results attained to by vessels constructed in similar respects to those at present in use, belonging to the Cunard Company.

Assuming the distance from New York to Liverpool to be about 3,100 miles, and from Galway to Boston to be 2,600, there would be a distance of 500 miles of a sea voyage gained by adopting the proposed route, being a distance equivalent to the distance between Liverpool and Galway and between Boston and New York. Assuming, then, the latter to be 200 miles, we would have a distance of

300 miles, *representing* the distance between Liverpool and Galway, which might be performed in about twelve or fourteen hours, by the assistance of the Dublin and Mullingar railway. Assuming these estimates to be correct, we have obtained sufficient data for calculating the time occupied by either route, and consequently the amount of time saved by adopting one in preference to the other.

From a return calculated from the "average time taken by all the Atlantic steam ships, fast and slow, to perform the voyage to and from Liverpool to Halifax and New York," in the year 1849, we find, that the average speed attained to in the outward passage was $8\frac{1}{2}$ knots an hour, and on the homeward about 9; the time consumed on the entire voyage, by the present route, being as follows:

				Days.	Hours.
From Liverpool to New York	...	...	...	13	10
From New York to Liverpool	...	...	...	12	2

But by taking advantage of the proposed route, *via* Galway and Boston, and making use of the railways at present in existence, we may attain the following results:—

				Days.	Hours.
From Liverpool to New York	...	...	...	12	0
From New York to Liverpool	...	...	...	10	16

Or in other words, combining the above two tables—

			Old Route.	New Route.
From Liverpool to New York, and back	...	...	25 12	22 16

Being a difference of 2 days 20 hours on the entire voyage, in favor of the route proposed. The following table will enable our readers to calculate this result for themselves; we have taken it, with a slight alteration, from the third pamphlet affixed to the commencement of this paper:—

Liverpool to New York, <i>via</i> Galway.	D.	H.	New York to Liverpool, <i>via</i> Galway.	D.	H.
Liverpool to Galway	...	0 12	New York to Boston	...	0 12
Galway to Boston	...	11 0	Boston to Galway	...	9 16
Boston to New York	...	0 12	Galway to Liverpool	...	0 12
		<hr/> 12 0			<hr/> 10 16

We may here remark, that the period of twelve hours allowed for the passage by steam and rail from Liverpool to Galway, is somewhat longer than that set forth in a government return, for the performance of a similar distance, and to which we will presently refer.

Now it is to be recollected, that this saving of 2 days 20 hours is based upon two assumptions—first, that no greater speed can be attained to than that now found available by the vessels belonging to the “Cunard” Company; and secondly, that the railway from New York (at present completed as far as Waterville) will never be extended to Halifax. Now, it is most probable that both these events will take place, and that at no lengthened period. Of course if they do, the passage will be performed in a shorter period. It is, indeed, generally admitted that steam navigation is but in its infancy; and there is also every reason to suppose that the railway from Halifax to Waterville will be shortly commenced, so that the saving of time of 2 days 20 hours at present attainable, will, in the space of a few years, be increased to twice that amount; but taking matters as they are, the result is of great importance, when the amount of interest on mercantile bills, insurance, the wear and tear of the vessels employed, and many other circumstances, are considered.

The following return was handed by the parliamentary commissioners to Lord Monteaale, who has taken a great interest in the development of this question, last December, and by him transmitted to the deputation of Irish members who waited on them in furtherance of the movement. We allude to it, principally, because it has been put forward by the commissioners as affording a conclusive answer to arguments advanced in favour of an Irish Packet Station:—

By Packet from	Time from Holyhead to the Port.	Length of Voyage to New York.	Total from Holyhead to New York.	Length from Holyhead to New York direct.	Saving by Communi- cation via an Irish Port.
	H. M.	D. H. M.	D. H. M.	D. H. M.	H. M.
Galway,	10 13	10 8 16½	10 18 29½	11 3 49½	9 20
Tarbert,	11 8	10 7 33	10 18 41	—	9 8½
Cork,	11 29½	10 12 44	10 0 18	—	3 36
Valencia,	13 20	10 4 44	10 18 4	—	9 45½
Beerhaven, ...	13 40	10 7 38½	10 21 18½	—	6 31
Crookhaven, ...	13 49½	10 7 0	10 20 49½	—	7 0

Now this table is clearly inaccurate. In the first place, the length of voyage from Holyhead direct, is stated to be 11D. 3H. 49½M.,

whereas we have shown above, from a calculation of the time occupied by all vessels from Liverpool to New York during the year 1849, that it cannot be performed in less than 13D. 10H. from Liverpool by the direct route, so that, unless the difference of 2D. 6H. is occupied by the voyage from Holyhead to Liverpool, the statement is wholly false. Again, it is stated that the time occupied by the voyage from Galway would amount to 10D. 8H. 16M., being only 9H. 20M. less than from Holyhead; if this be so, a vessel starting from Holyhead would in nine hours and a half reach the longitude of Galway, and taking the rate of sailing to be as we have stated, nine knots an hour at the very outside, a vessel leaving Holyhead could only have proceeded about ninety miles down the Channel, when, according to the statement of the commissioners, it would have shortened the length of its voyage by some two hundred miles.

The Galway Transatlantic Steam Packet Company propose to commence operations with a capital of £300,000, it being intended to place but three ocean steamers, of about 1500 tons burden, on the line. It is calculated that these vessels would cost about £75,000 each, thus leaving in the hands of the directors the sum of £75,000 for current expenses and contingencies. It was under somewhat similar circumstances that the "Cunard" Company first commenced their prosperous career, and so successful has it been, that within little more than ten years from the period when it was first formed, they have increased their fleet from three vessels, representing 3,900 tons, to nine, representing a total of 15,650 tons. We do not see any reason why the Galway Company should not be equally successful. If this splendid result was consequent on the amount of freight which they were in the habit of carrying, there might be some doubts as to the probable success of the Galway line, since goods are generally forwarded *direct* to their place of destination, unless indeed, as we think we will hereafter show, the difference in the amount of freight, and other considerations, would render the route *via* Galway more speedy and economical; but the case is far otherwise when the principal source of profit is derived from the fares of passengers and the conveyance of the mails. There could be little doubt of success, when the convenience of a

short voyage, with more moderate fares, would combine to attract the great majority of travellers.

It is stated in the prospectus of the Galway Company that these vessels "may be built to accommodate 150 cabin passengers, 50 steerage passengers, and to carry 200 tons of freight, in addition to the coals, while the saving of 600 miles in the distance would enable them to make 18 trips per annum, at the average rate of $8\frac{1}{2}$ or 9 knots an hour on the outward, and 9 knots on the homeward voyage." The Cunard vessels have only been able, in consequence of the greater distance, to perform 15 trips in each year, while, of course, the quantity of room for the carrying of freight, if any, is diminished by the necessity of having an increased quantity of coal. The amount of coal saved by each vessel in the year would thus amount to nearly 3000 tons, provided the same number of trips were made by the Galway vessels as are now made by those of the Cunard Company; or, supposing 1000 tons to be used for each trip from Liverpool, the same quantity would enable the vessels from Galway to run eighteen times across, which would only enable those from Liverpool to perform fifteen trips.

It is quite manifest therefore that the cost of working the Galway line will be far less expensive than that of working the "Cunard Company," and consequently, the former could afford to take much smaller fares than the latter. The Galway Company have therefore calculated that the fares of £27 10s. and £12 10s. for the first and second classes respectively, *via* Galway to New York, will remunerate them as well as the present fares of £35 and £20 from Liverpool do the Cunard Company. There is certainly an important difference in the amount charged; and we have no doubt that this will, in addition to the several other inducements, be sufficient to attract the vast majority of Transatlantic travellers.

The saving in the conveyance of goods is of equal value and importance. The proposed company offer to carry goods from Liverpool to New York for £5 per ton, being £2 less than that charged from Liverpool direct. The following would thus give a fair estimate of the expected profits of the company on each ship:—

70 Passengers, at £25 each, for 18 trips ...	£31,500
200 Tons of Goods, at £5 per ton, do. ...	£18,000
	<hr/>
	£49,500
Deduct 30 per cent on cost of construction...	£22,500
	<hr/>
Profit per annum, each vessel	£27,000

"This estimate," says the prospectus, "which is based on the number of passengers *at present* carried on each passage, would leave the Galway Company a profit of upwards of 30 per cent. on called up capital." It will be observed that, even in the event of there being no traffic, the proceeds of the passengers' fares would leave the sum of £9000 as a clear profit over the working expenses of each vessel, and that this estimate is framed independently of any profit which might be derived from the conveyance of the mails.

As a question of finance, the establishment of a packet station on the west coast of Ireland ought to meet with the approval of all "reformers." If we take the item in the estimates of steam communication to North America, we find that the sum paid by the country to the "Cunard" Company is £145,000 per annum, for 78 trips, or 39 voyages in the year. This would make the postage amount to £3718 per voyage, or about £169 as the expense of each day. Now, if the communication was carried on *via* Galway, we have already shown that above two days will be saved on each voyage, or £338, amounting to a saving in the year on postal communication of the sum of £13,282.

Again, if we take two of the principal items in the import and export trade of America to this country, we will find abundant reasons for concluding that, at the above rates, the vessels employed would seldom perform a voyage without being completely freighted. The shipment of cotton alone requires a tonnage of about half a million of tons for the purpose of its being conveyed to this country. This traffic will most probably afford sufficient employment by itself for whatever room the vessels could spare; while, in such case, the average freight, amounting to about one penny per lb., would leave a handsome balance to the credit of the company.

We have shown above that the vessels proposed to be placed on

this line, may be accommodated to the carriage of freight to the amount of about 200 tons; but by constructing these vessels on improved principles, it may be easily shown that a much larger available space may be obtained in vessels of equal tonnage. It is stated in a letter which appeared in the *Advocate* of the 30th Oct., 1850, that by the construction of engines on improved principles, such as those at present in use in H. M. S. "Retribution," "Sphinx," "Furious," and others, that a saving of 360 tons in weight might be effected in the construction of engines alone. Now assuming that the vessels should be similar in all other respects to the "Cumard Liners," there would be a capability of carrying fully 500 tons of freight on each trip; or, on the *other* hand, in case such should not be required, we would have the same power, of say 800 horses, applied to the propulsion of a weight less by 500 tons. The manifest result would be a greater velocity; but assuming, as we think we fairly may, that this space, capable of carrying 500 tons weight, should find from various sources full cargoes on every voyage, the Galway Company would derive from each vessel, whatever profit would arise from the carriage of 4500 tons of freight to and from America once in every year.

It must be admitted, however, that neither the Galway Company or any other steam packet company can ever, if it confines itself to the mere purpose of conveying passengers and parcels, engross any considerable portion of the traffic between the two countries; for if rapidity of communication be the chief point sought after, every other object must be made subservient to it; but it is quite plain, nevertheless, that if the conveyance of goods was attempted, a great saving in point of time over the present system could be attained to in the voyage from New York to Liverpool by the proposed route.

We have stated that 500,000 tons of shipping are annually required for the trans-shipment of cotton from America to Great Britain, and it would appear, from the following extract, that by adopting the Galway route the saving from insurance alone would amount to £135,000 a-year. The difference in this respect would "be quite two per cent., which on the gross value of the cotton (£25,000,000) will amount to £500,000; the rates of insurance

on shipping carrying cotton freight is also high." The difference in favor of Galway would amount to the sum of £100,000 on 500,000 ton of shipping, at the average of £10 per ton, and adding the sum of £75,000 for channel dues and other expenses, such as wages, &c., a total balance of £675,000 in favor of Galway on the shipment of cotton alone would result, assuming the place of landing at an Irish packet station to be its final destination; but the cost of conveyance from the Irish station to Liverpool should be deducted from this sum, and taking "the distance from Galway to to be 274 miles, or twice the distance of Galway to Dublin, and allowing 2d. per ton per mile for its conveyance by rail and water to Liverpool," it would require £540,000 for its transit, and deducting this sum from the gross amount of saving in the first instance, a net balance of £135,000 would be left for the benefit of the producer and consumer.

Again, in the imports of bread stuffs to this country, applying the same reasoning, similar results follow; but there are peculiar circumstances connected with this trade, which as far as Ireland is concerned, entitles it to some consideration; a large proportion of the bread stuffs imported is consumed in this country; whatever the amount may be, it is, generally speaking, conveyed to some of the English ports, subjected to the several charges for port dues, commission, &c., and, finally, at a vastly increased expense, arrives in this country for consumption. Now this is a monstrous hardship, when it can be shown that every barrel of flour imported might be landed at Liverpool, by the Galway route, at a far less expense than by the direct passage.

The following table shows the quantity of bread stuffs exported from the United States and Canada, during the years 1846 and 1847:—

	1846.	1847.
Flour, bushels,	2,289,476	4,382,496
Wheat, do.	1,613,795	4,399,951
Corn, do.	1,826,068	16,326,050
Meal, barrels,	293,720	918,066

Of this large quantity, Ireland in the year 1849, had *imported* for home consumption 1,500,000 quarters. How different was her condition, when in 1845 she *exported* to the English markets 3,257,000 quarters.

If we apply ourselves to the emigration returns, we can easily perceive the vast importance of establishing a Transatlantic packet station on the coast of Ireland. The following table shows the number of persons who have emigrated from Liverpool to our several colonies during the last ten years, amounting in all to 904,081:—*

1841,	48,753	1846,	75,504
1842,	55,535	1847,	132,459
1843,	29,496	1848,	131,132
1844,	44,427	1849,	153,902
1845,	58,686	1850,	174,187

Now, out of these 174,187 persons, who emigrated in 1850, 171,000 emigrated to the North American continent. We quote the following extract from the *Liverpool Times*, of 17th January last:—

“ Taking the average passage-money as £6, the conveyance of emigrants yields a revenue of upwards of £100,000 sterling to the shipping which belongs to, or frequents this port, independent of the great amount of money which the passage of such an immense multitude through the town must leave to be spent in it ; in fact, the passage and conveyance of emigrants has become one of the greatest trades of Liverpool.”

This accounts, very satisfactory no doubt, for the opposition given by the Liverpool merchants to the establishment of a packet station on the coast of Ireland; but in point of fact, if such has become “ one of the greatest trades of Liverpool,” there is a gloomy prospect for the future, even in Liverpool. The tide of emigration cannot always flow—at least, to the same extent, as the foregoing return would lead us to suppose; nor does it speak much for the prosperity of a country, when its chief trade consists in transferring to a *foreign* power one of the elements of its wealth. We say to a foreign power, for the returns show that the entire number, with a small exception, were emigrants to the United States. We may be told that the great majority of these persons were Irish—so they were; and

* *Liverpool Times*, 17th January, 1851, and government returns.

we may be told that the remarks which we have above made must, therefore, be incorrect. But can this be said with justice? England and Ireland form one country; and can England be said to be prosperous when Ireland is distressed?

But it may easily be shown that the necessity of taking this circuitous route has involved those unfortunate people in a vast unnecessary expense. Mr. Bermingham, a gentleman who has ever shown an interest in matters connected with the improvement of Ireland, whether social or otherwise, thus calculates the loss sustained, in a letter addressed to the editor of the *Advocate* in the month of March last:—

“I have, with some assistance, made calculations, founded upon a statement which appeared in the *Liverpool Times* a short time since, which set forth that 172,480 emigrants left Liverpool for America in 1850; and taking cost of passage and maintenance, adding loss of time, supposing the average passage thirty-six days, allowing 5s. to the first class, 2s. 6d. to the second class, and 1s. to steerage, *per diem*, the cost to these emigrants was one and a quarter millions sterling, as against one million sterling, which we calculate this number would have been taken for, supposing the railroad finished to Galway, and that they had embarked at that port, in vessels fitted up for the service, including for those from a distance, cost of passage from Liverpool to Dublin, rail to Galway, steamer to New York, and allowing twelve days’ expenditure of time on the voyage, &c. Thus, if my calculations be capable of realization (I believe them to be ample), effecting a saving of a quarter of a million sterling to this certainly large number of emigrants, and of twenty-three days voyage to each, a great portion of which time would be spent on the most dangerous part—namely, the coasting, to avoid Ireland.”

This saving of £250,000, assuming Mr. B.’s calculation to be correct, would amount to a saving to the emigrants for the last two years of about one million and a-half sterling. It is not, we believe, proposed by the Galway Company, that their vessels should be adapted to the conveyance of this class of passengers; yet vessels might easily be constructed to answer the purpose. In a short pamphlet published by Mr. M’Calmont, it is proposed that the vessels placed upon the line, should be of between 2,000 or 2,500 tons—

and 800 to 1,000 horse power. It is calculated that such vessels would easily perform the voyage in 5 or 6 days; the costs of five vessels he calculates to amount to £500,000, and the annual costs of 80 trips, including insurance, interest on capital, repairs, and depreciation, at 20 per cent—£255,000 per annum. Taking then the number of passengers to amount to 100 for each of these classes, at the respective fares of £10, £5, and £2 for each trip, a sum of 211,000 would be received, leaving a deficit of £43,000 to be charged against the Post-office department for the conveyance of the mails, &c., and taking the sum of £145,000, which is now paid for that purpose, a handsome residue would remain to be divided amongst the shareholders by way of dividend on their paid up capital; the above fares would certainly be such as to induce many persons to prefer the Galway route.

If Mr. M'Calmont's plan was adopted, there is no doubt, that the tide of emigration would flow through Galway; and when we consider the large amount of money sent over by emigrants to their absent relatives, in this country, for the purpose of enabling them to emigrate also, it is certainly a hardship that they should be exposed to the wholesale imposition, to which they are submitted at Liverpool and other sea-port towns.

The proposed line of railway from Halifax to Quebec, when taken in connection with the question of Transatlantic Communication, is of great importance to the British empire. It affects directly our North American colonies, and demands therefore the greatest attention from Her Majesty's government, if their future prosperity and welfare is sought after. It is alleged by some, that the maintenance of our colonies is a matter of little importance to the mother country. It may be a question, how far the parent state has a right to control the wishes of its colonies; how far it is consistent with her duty, to restrict their efforts for independence, or to restrain the passing of laws which they conceive to be for their advantage; but we imagine, there can be no doubt, as to the benefit which is derived by Great Britain from her colonies; her colonies afford great markets and create great demands for her manufactured goods; we cannot then understand on what principle the advocates of Free Trade make the assertion, when it is so well known that the countries which consume

our manufactured goods, are not those foreign states to which we have been making such advances of late. The Russians consume on an average but six penny-worth per head; the French little more than one penny-worth; the people of the United States, about 6s. each, while our colonists in the British States of North America consume manufactured goods to the value of £1 6s. each. If we turn to the shipping returns we will find a similar result. The following shows the difference with respect to the amount of shipping employed by Great Britain in the trade of each country in the year 1846:—

				Tons.
United States trade,	...	...	...	205,000
North American,	...	...	...	1,076,000

It may be then fairly assumed, that it is for the advantage of the British empire, as far as possible to direct the tide of emigration (which we regret to say is likely to continue at its present height) as much as possible from the United States, to the Canadas.

If this assumption is well founded, it is of course the duty of Her Majesty's government to forward by every means in their power, every project which has for its object, or which tends to promote, this desirable end; and we purpose shortly to consider whether the policy which has been lately adopted by the imperial government has been such as to strengthen the confidence of the inhabitants of British North America in the wisdom and justice of Her Majesty's advisers, in the month of April last. Sir George Grey emphatically remarked in the House of Commons:—

“It must not be for a moment supposed, that these measures are contemplated under any idea that the connection between the mother country and the colony could be dissolved without injury to both, or, that there is any probability that it will be so; on the contrary, these measures are regarded as safe, because Her Majesty's government are persuaded, that the great body of the people of Canada are so fully satisfied, of the great benefits they enjoy from the system of constitutional government now happily established, in the provinces under the authority of the British crown, that it may properly be left to themselves, to take their share of the burthen of maintaining and defending an order of things, from which they reap so much advantage.”

One would imagine from reading the above words, that the British States of North America was the happiest and most prosperous country in the world, and had outrun the United States in every matter connected with commercial enterprize or social prosperity; but unfortunately for the "system of constitutional government so happily established in these provinces under the authority of the British crown," it is quite the reverse: the repeal of the navigation laws, the reduction of the duty on timber, and that monstrous act of inconsistency, the admission of slave grown sugars into this country, have almost destroyed these provinces; and the only advantage that they enjoy in return, is an occasional peep at his Excellency Lord Elgin. What greater evidence of the present condition of that country can there be, than the fact, that out of 174,000 persons who emigrated to the continent of America last year, but 4,000 directed their footsteps to the Canadas. This is a fact which speaks more eloquently than volumes of ponderous blue books.

Our readers are aware that for many years past, the construction of a railway from Halifax to Quebec has been discussed, for the purpose of affording a more direct means of conveyance for the produce of the interior, than the usual course through New York and Boston. The railway would be about 600 miles in length, and might be constructed at a cost estimated to amount to £5,000,000. Among other advantages urged in favor of this line, the fact of its running through an extensive coal field of a superior quality, adds in no small degree to its importance.

It is of course quite manifest, that the return derived from such an undertaking could not, for many years to come, be such as to induce private capitalists to come forward and undertake its construction, unassisted by government patronage. If its construction can be shown to be of benefit to the province, it should be considered as a great national work, just such a one as it would be the duty of the government to promote. We will endeavour to show that the proposed line would be of incalculable benefit, and that the English government now have it in their power to secure the gratitude and promote the prosperity of our North American provinces. "There are four things that come not back," said the great Abu Bekar, the caliph who succeeded Mahomet—"the spoken word; the sped arrow;

the past life; and the neglected opportunity." It is for Her Majesty's government now to decide whether that opportunity will pass unheeded, or whether some steps will be taken to arrest the rapid progress of decay which is so apparent from the present condition of our North American provinces.

That the American continent—and particularly the provinces of Nova Scotia, New Brunswick, and Canada—possess vast industrial resources, is an undoubted fact. We may refer to Mr. Johnson's very useful and interesting work in confirmation of this statement; but the following official statement of the Governor-General, Lord Durham, in 1839, well deserves insertion—

"These interests are, indeed, of great magnitude; and on the course which your Majesty and your parliament may adopt with respect to the North American colonies, will depend the future destinies not only of the million and a half of your Majesty's subjects who at present inhabit these provinces, but of that vast population which those ample and fertile territories are fit and destined hereafter to support. No portion of the American continent possesses greater natural resources for the maintenance of large and flourishing communities. An almost boundless range of the richest soil still remains unsettled, and may be rendered available for the purposes of agriculture. The wealth of inexhaustible forests of the best timber in America, and of extensive regions of the most valuable minerals, have as yet been scarcely touched. Along the whole line of sea coast, around each island, and in every river, are to be found the greatest and richest fisheries in the world. The best fuel and the most abundant water-power are available for the coarser manufactures, for which an easy and certain market will be found. Trade with other continents is favoured by the possession of a large number of safe and spacious harbours; long, deep, and numerous rivers, and vast inland seas, supply the means of easy intercourse; and the structure of the country generally affords the utmost facility for every species of communication by land. Unbounded materials of agricultural, commercial, and manufacturing industry are there; it depends upon the present decision of the imperial legislature to determine for whose benefit they are to be rendered available. The country which has founded and maintained these colonies, at a vast expense of blood and money, may justly expect its compensation in turning their unappropriated resources to the account of its own redundant population. They are the rightful patrimony of the English people—the ample appanage which God and nature have set aside in the new world for those whose lot has assigned them but insufficient portions in the old."

Lord Elgin, the present governor, in a despatch dated the 20th December, 1848, strongly urges on the consideration of the Home

Government the carrying out of this design. "I have briefly," he writes, "insisted on the advantage which the mother country is likely to derive from the execution of this work (the proposed railway), believing that the benefits which it will confer on the colonies are too manifest to require elucidation." Again, at a meeting of the inhabitants of Westmoreland, held on the 18th January, 1849, it was unanimously resolved—

"That the subject of the proposed railway between Halifax and Quebec is one of paramount importance to the British North American provinces; that the future destiny of these valuable possessions depends upon the early construction of this grand national work; and that it is a duty equally imperative upon Her Majesty's government, the colonial legislature, and upon every individual claiming the privilege of a British subject, to afford every aid and assistance to the promoting this truly patriotic undertaking, upon the success of which unquestionably depends the *future relations* and prosperity, as well of the mother country as of these her colonies."

We have here, then testimony of three different kinds: we have first the testimony of Lord Durham, as to the resources of the country; we have then the opinion of Lord Elgin, as to the "advantages the mother country would derive, considering the advantage to the provinces themselves "too manifest to require elucidation;" and we have finally the inhabitants of the country stating that "*the future relations* and prosperity" of those valuable possessions depend upon the early construction of this "great national work."

Now if we turn to a dispatch from Earl Grey to Lord Elgin, dated January 26, 1849, and to its enclosure, we will see how far the authority of the British crown "*dispenses those great benefits*" with which the people of Canada are, or ought to be, perfectly satisfied. The Commissioners of Railways, to whom it was referred by Earl Grey to consider the Report of Major Robinson on the proposed line, state their opinion to be, after the "fullest consideration"—an allegation, by the bye, which leads us to believe they knew nothing about the matter—"that, *although*, in a military and political point of view, the construction of a railway between Halifax and Quebec may be of *great importance*; that as a commercial undertaking, it is very doubtful whether it can, at least for a long time to come, prove *profitable*."

To be sure it is doubtful. How could it be otherwise? And the

government, forsooth, because an undertaking may not for some time to come prove profitable, decline to engage in or promote that, which confessedly would develop the resources and increase the prosperity of an important and justly dissatisfied colony.

That the colony has not advanced in the proportion it ought to have done, is manifest from its condition when compared with that of the United States. The following return shows the advance made in Upper Canada, during 22 years:—

	Population.		Acres of Cultivated Land.		Assessed Value.		Local Taxes.
1825	158,027	...	535,212	...	2,256,874	...	10,235
1847	717,560	...	2,673,820	...	8,567,001	...	86,058

We must confess that the result of 22 years' progress, as above shown, does not tend to increase our feelings of satisfaction. We think that in a country presenting such vast resources as the Canadas undoubtedly do, an increase of population from 150,000 to 700,000 betokens anything but good government; especially so, when we recollect, that above 900,000 persons have emigrated to the continent of America during the last ten years.

The small number of persons who have emigrated to the British states during the above period, is accounted for by the difficulty experienced by emigrants at the various sea-port towns of Canada and Nova Scotia, in getting employment sufficient to enable them to push their way up the country, while the contrary is experienced in the sea-port towns of the United States. This explanation may account very satisfactorily for the result; but we cannot, for the life of us, understand why the cause should continue to exist, unless it result from the depressing influence of imperial legislation.

The immediate construction of this railway would tend to improve this state of things, and attract the tide of emigration to the northern provinces of America; it would thus strengthen our influence, and increase and extend one of the very best markets for the sale of our manufactures. According to the Report above alluded to—

“In a political and military point of view, the proposed railway must be regarded as becoming a work of necessity. The increasing population and wealth of the United States, and the diffusion of railways over their territory, especially in the direction of the Canadian frontier, renders it absolutely necessary to counterbalance by some corresponding means their otherwise preponderating power.”

"Their railway communications will enable them to select their own time and their own points of attack, and will impose upon the British the necessity of being prepared at all points to meet them.

"It is most essential, therefore, that the mother country should be able to keep up her communications with the Canadas at all times and seasons. However powerful England may be at sea, no navy could save Canada from a land force."

"Its conquest and annexation are freely spoken of in the United States, even on the floors of Congress."

"The expenses of one year's war would pay for a railway two or three times over."

The Quebec and Halifax railway would, when opened, have the benefit of important traffic in the conveyance of corn and flour to the sea port towns, for the purpose of shipment to England. This traffic at the present passes through the towns of New York and Boston; the cost of land carriage to the respective towns, would seem to point out Halifax as the best adapted for the purpose of trans-shipment, for though the table shows a slight increase in the cost of carriage to Halifax, the shorter voyage thereby obtained would more than compensate the slightly increased expense. The following table shows the cost of carriage to the sea port towns from the interior:—

	Halifax.		New York.		Boston.
	s. d.		s. d.		s. d.
From the Lakes to	6 2	...	5 1	...	6 0

We would also call attention to the table which we have given before in page 290, showing the importation of bread stuffs to have amounted to above 25 million bushels in the year 1847.

"The greatest portion, if not all, of this immense produce, of which the above forms only a few items in the great account, was received at the Atlantic ports from the far West; and it is for this most important and still increasing trade, that Montreal and Quebec will now, by means of the St. Laurence canals, have the most favourable chance of a successful competition with New York and Boston."

The completion of the proposed railway will enable Halifax also, to enter the lists with every probability of success. The Montreal and Portland railway, being the only one this could at all compete with it, depends for its construction and maintenance on private enterprise alone:—

"But with the Quebec and Halifax railway" to use Major Robinson's words, the case is very different; the enterprize is of general interest, it concerns the prosperity and welfare of each of the three provinces; and the honor as well as the interests of the whole British empire may be affected by it."

That the province of New Brunswick possesses vast capabilities for the purposes of emigration, is apparent from the extract we have given from Lord Durham's dispatch; the following table taken from the Report prefixed to this paper, also shows its extent and capacities. We have drawn the comparison between Ireland and this province as they are very nearly equal in size, and present in a striking manner the industrial resources and capabilities of the latter.

	New Brunswick.			Ireland.
Total number of acres,	...	2,000,000	...	19,441,944
Cultivated,	...	600,000	...	} 17,000,000
Uncultivated,	...	16,400,000	...	
Unprofitable,	...	3,000,000	...	2,444,944
Population,	...	208,000	...	7,000,000

There are 11,000,000 acres of forest land, fit for settlement at the disposal of the government. It is not then too much to say in the words of the Report, that New Brunswick possesses abundant room for all the surplus population of the mother country.

We fear much however that the opportunity now presented will be thrown away; if it is, the government is of course responsible for the result. The European and North American Railway Company seem determined, if possible, to secure for the United States, all the benefits to be derived from "Transatlantic Communications," and from the spirit and energy with which the matter has been taken up we have little doubt of their ultimate success.

The latter company propose to run their line from Waterville to Halifax, through Bangor and St. John's, in communication with the one at present open from New York to Waterville. The company have obtained a charter, have become incorporated, and have taken many preliminary steps towards the performance of their undertaking.

In making the above observations, we have purposely avoided discussing this important question on grounds which might be said to affect exclusively the commercial interests of Ireland; not, that there do not exist many arguments, and valid ones too, which might

be urged in favour of this measure, connected with Ireland and with Ireland alone; but because it appears to us, that the grounds on which the advocates of this movement should rely, are those which affect the well-being of the empire at large. The question is one of universal importance. Civilization is promoted by whatever tends to facilitate the intercourse and bring nations into closer communication with one another. The movement which we advocate will, if developed, undoubtedly have this effect.

We expect to see the day, and perhaps it is not so far distant as some imagine, when a pleasure trip to the Falls of Niagara may be undertaken during the Easter Holidays, and the advantages offered by "return tickets," will become duly appreciated; but however the development of "Transatlantic Communication" may be made subservient to the pursuits of pleasure, to the pen of the tourist, or the pencil of the artist, there can be no doubt, to those who discuss the question dispassionately, of the vast benefits to be reaped by every class of the mercantile community.

To our own fellow-countrymen, a word of affectionate advice must be added. To secure the successful issue of the movement, they must make a steady, combined, and vigorous attempt. Union and self-reliance are the great maxims which we should lay down for our rule of conduct through life. If we wait until we receive government assistance, we shall be doomed to disappointment; nor by lamenting over our present unhappy condition, shall we ever attain to wealth or prosperity.

"Lamentation is worse than useless; the spirit of the age forbids all idle mourning. If we would awaken a sympathy and interest in our pursuits, we must gird up our loins like men, and be doing, and that right earnestly; for it is hopeless any longer waiting for the government, as a *Deus ex machina*, to help us.

ART. VI.—MR. MONTAGUE DEMPSEY'S EXPERIENCES
OF THE LANDED INTEREST.

CHAPTER II.

MY LONDON EMPLOYERS—HOW I LEFT THEM—HOW I LEFT MY
FELLOW CLERKS.

ONE of my first acts the next morning was to proceed to a book-stall, and there purchase a volume entitled "The Complete Letter Writer," the cover of which informed me, that within, I should find precedents for epistles on any given subject, from "Love, Duty, and Affection," down to "General Correspondence."

In the department devoted to business, I found two forms which I considered peculiarly adapted to my case, one commencing "Honored Gentlemen," the other, "Respected Sirs." Having duly weighed the relative beauties of these two modes of commencement, I decided in favor of the latter, and with the assistance of the "General Remarks," at the end of that invaluable publication, my constitution having been supported during the protracted struggle by the nourishment I drew from the tops of two quills, I succeeded in completing a letter to Messrs. Seizem and Skinn, which I posted on my way to my office, not without some very serious misgiving as to its being the thing. I took my seat that morning, with a consciousness that it would require my most strenuous exertions to retain the mighty secret pent up in my bosom for the next three or four days. I felt so highly charged with mystery, that an explosion seemed inevitable. In fact, I enjoyed the sensations of a person sitting on a gunpowder magazine during a thunder storm, with a large bunch of keys in his pocket. Anything like a lengthened conversation I of course avoided, as an experiment under the circumstances highly dangerous; and this marked departure from my former affability gave rise to many and ingenious theories in the office. The "fast" Jubb came to the conclusion that it arose from some pecuniary difficulty, caused by my having neglected the oft-repeated advice to reform my tailor's bills; while Parker (usually

called Old Parker, in reference to his spectacles) suggested that perhaps I was suffering from the consciousness of having blotted an entry in the day-book. However, to use melodramatic phraseology, the solution of the mystery was at hand. Unbounded was the astonishment of all my fellow-clerks, when they saw me one morning, with resolution in my eye, and a letter in my hand, proceed to the door of the private room of Filer, Noggs, and Co., evidently with the intention of entering unsummoned that awe-inspiring chamber. Great was the dread that fell upon the whole office, from the errand boy at the door, who paused in the act of incarcerating a fly in an ink-bottle, up to Old Parker, who gazed at me with an intensity that threatened to splinter his spectacles, and sucked the end of a ruler in silent horror. The details of that tremendous interview are, I fear, lost to the public, unless memoranda likely to throw light on them be hereafter found among the archives of the house of Filer, Noggs, and Co. Although I am convinced that some statements I made materially assisted them in discovering the meaning of Messrs. Seizem and Skinn's second letter, I have no recollection of what took place, further than that Mr. Filer was at first very angry, on which Mr. Noggs became highly indignant, but shortly afterwards relented a little on finding Mr. Filer inclined to soften, and finally, when Mr. Filer said it was too bad that I should leave them when there was so much to be done in the office, but that there was no help for it; and that, since there was to be a change, it was as well that it should be one for the better. Mr. Noggs remarked that it could not be helped, and congratulated me.

"Well, Dempsey," said Mr. Filer, who I always suspected had a vein of kindness and good nature underneath his pompous manners, "since you are to leave us, it cannot spoil you if I say, that while in our employment you have given us great satisfaction."

"Very great satisfaction, indeed," observed Mr. Noggs, who the day before informed me, I was the slowest accountant he ever had the misfortune of meeting.

"I am very busy now, Dempsey," continued Mr. Filer, "but let me see you before you start for Dublin. Mr. Parker will make out what is due to you from last quarter day."

Thus was my resignation of office accepted by the firm of Filer,

Noggs, and Co. As to the Co., neither on this, nor on any previous occasion, had I any dealings with it. In fact, I have every reason to believe that it was merely a sort of mercantile "Mrs. Harris," attached to the firm, for the sake of giving a more finished look to the door plate. When, in the most lucid style I was master of, I announced to the astonished audience in the office my intended departure, and the cause of it, my hearers were at first derisive, then sceptical, but finally convinced that, to use Jubb's expression, "there was something in it," as I took that opportunity to request the pleasure of the company of all present to a farewell banquet, in which it was stipulated that oysters should take a prominent part; the repast to be partaken of on the night previous to my departure for Ireland.

The intervening time I occupied in making preparations for my new life. These chiefly consisted in the purchase of various articles connected with agriculture, and rural affairs in general. Among them was a voluminous work on farming, profusely illustrated with engravings of apoplectic-looking cattle, and complicated engines. This I at once proceeded to study, and with difficulty got to "Sub-soiling, as practised in Flanders," when I gave it up in disgust. I also formed a small agricultural museum of formidable-looking weapons, which, though to my inexperienced eye they wore the appearance of a collection of somewhat civilized tomahawks and scalping knives, the intelligent seedsman from whom I bought them told me I should find very useful in eradicating thistles and trimming hedgerows.

The same disinterested individual almost persuaded me to become, at the trifling cost of five guineas, the purchaser of a wonderful machine, a combination of the common wheelbarrow with a sort of revolving pepper-castor, to be used in some manner, I suppose, known to the inventor, in sowing turnips. This desirable investment I was compelled to relinquish, for two reasons. In the first place, although it contained all the latest scientific improvements, it could scarcely be considered conveniently portable; and, secondly, because the amount of salary I received at the hands of Mr. Parker, though computed with wonderful accuracy, and quite curious in its fractional exactness, yet considered as a total, was not of such an amount as to warrant so great an outlay. However, that I might not seem ungrateful to the goodnatured seedsman, I took a small pruning

knife, weighing about four pounds, with a blade like a stunted scythe, on which I broke both my thumb-nails before I gave up in despair all idea of opening it.

I spent the early part of my last evening in London in disposing my newly acquired curiosities on a table near the door, in such a manner as to produce, what I considered, a very striking effect. I then, for about the sixth time that night, examined the preparations for the supper, and having satisfied myself that nothing was wanting to ensure its complete success, sat calmly down to await my guests.

The first arrival was the punctual Mr. Parker, who, after a preliminary gaze at the fire, and a remark relative to the weather, informed me he had been just deriving a vast amount of instruction and amusement from a lecture on the nature and habits of the opossum, and was proceeding to give me a description of the wonderful provision of nature, which prevents that little animal from falling a victim to a rush of blood to the head, whilst hanging by its tail, when, unfortunately for the interests of natural history, and the Society for the Diffusion of Useful Knowledge, he was interrupted by the entrance of Messrs. Tummins and Dyce, who were followed, after a short interval, by the *distingué* Jubb. The latter gentleman bore, on and about his person, evident marks of an intention to do honour to the occasion. His gorgeous waistcoat formed a pleasing background for a chain of massive workmanship, composed of a material which, at first sight, strongly resembled gold. A striking effect was produced by the manner in which the chain was brought in and out of five of the six button holes of his "fancy dress vest," giving the links the appearance of being engaged in a game of follow-my-leader, which was to terminate in the waistcoat pocket.

The conviviality of the evening commenced by Old Parker's taking off his spectacles, and carefully depositing them in the crown of his hat. Excited by this evidence of a desire on his part for unrestrained enjoyment, we unanimously approached the table, and led on by the veteran cashier, Dyce, Tummins, and Jubb made a vigorous attack on the solids, while I plied them with a brisk battery of Bass's pale ale.

Fast and furious grew our fun and jollity. How or when we

parted I know not. When I awoke late next day, a hat filled with oyster shells, and a peculiar sensation about the throat and palate, as if I had been chewing cinders, were the only souvenirs left me of my farewell banquet to those friends of my middle age, in whose company I had worn to the stump full many a grey goose quill.

CHAPTER III.

MY IRISH PROPERTY—HOW I WENT TO LOOK FOR IT.

About six-and-thirty hours afterwards, the Dublin and Liverpool General Steam Navigation Company's new and powerful steam-vessel, "Erin-go-Bragh," (by the way, how does it happen that company's vessels always *are* new and powerful?) was paddling her way through that expanse of diluted mud that lies between Clontarf and the Pigeon House. Emerging from my berth, where I had been whiling away the morning with paroxysms of sea-sickness, which were materially aggravated by a bilious gentleman, who persisted in devouring, immediately opposite me, a copious breakfast, consisting principally of some peculiarly fat fried ham, I essayed to go on deck, having first restored my cravat to the position it occupied before the commencement of those evolutions I had just gone through; any further attempt at a toilet was at present out of the question, for the same bilious man, who seemed to have come on board for the sole purpose of thwarting me in every possible manner, was at the solitary basin, polishing his cadaverous countenance with a degree of pertinacity that gave but faint hopes of his toilet's being concluded within the next half hour. Arrived on deck, I found that most of my fellow-victims had preceded me; but alas! what a sad and wondrous change had the last few hours effected in them. The stylish young man with the glazed cap, who for some time after we had sailed, paced the deck with a regularity and perseverance worthy of Captain Barclay, now looked as yellow and unwholesome as the cigar he had been smoking over-night; and the ladies—my heart bled for them. Far be it from me to pretend to any knowledge of the mysteries, or internal arrangements, of that wonderful grotto, known as the ladies' cabin; but judging from their worn-out and

sleepless looks, and generally dishevelled appearance, I would say that the berths must be constructed even more on the chest of drawers principle, than they are in other parts of the vessel. As I stepped off the plank into the mud of my native land, I felt, with Washington Irving, "that I was a stranger in that land." This idea was, however, soon dispelled. "Your honor's heartily welcome," said a husky voice behind me; and on turning I beheld a young man, who wore a whip round his neck, touching his hat (a remarkably amorphous one), who in the most engaging manner assured me that his cushions were clean—a remark evidently not intended to extend to his face, and also that he was my own boy; and then, presuming I suppose on the relationship between us, without further observation walked off with my luggage. Sensible as I was of the extreme friendliness of his manner, I did not like being altogether separated from my effects at so short a notice. I therefore followed him, and found him disposing my property on one of those instruments of torture called outside cars—a species of vehicle which statistics prove to contribute largely to the support of the surgical profession in Dublin and its vicinity. Having, literally by tooth and nail, succeeded in securing the last package, and deposited himself, with a jerk, on my hat-case, he requested me to "git up;" and, before I had altogether complied, he ordered the horse to "git on," plying the whip with an energy that quite exonerated him from any suspicion of being a member of the Humane Society. As I had not been much more than twelve years away, I retained some slight recollection of the art of adhering to an outside car when in motion; yet I was far from feeling the dignified composure your true Dublinian exhibits under similar circumstances; and laying aside, as incompatible with safety, all idea of a graceful carriage, I held on manfully to the bounding car; when, after some five minutes' driving, my captor turned to me, and, with an abruptness quite startling, asked, "where my honor was going to?" which was, by a curious coincidence, the identical inquiry I had been making of myself. I gave him the name of a hotel, where, in a few minutes, he literally *dropped* me and my luggage.

CHAPTER IV.

MY IRISH PROPERTY—HOW I FOUND IT.

I found it in Mr. Seizem's office—at least I have always considered so, as it was there my experience of it first commenced; and a formidable amount of paper and parchment I had to get through, before I could make out what it was; in fact, there were so many papers about it, that one would have thought it was some fragile substance packed to be sent by post. It was no wonder it looked a large parcel at first sight; the process of coming at it was something like that of unrolling a mummy; and a nice mummy we found when it was concluded.

"Now, then, what's *your* business?" said a small voice in Mr. Seizem's legal laboratory. The hall-door had been opened to me by some invisible agency; and after nearly coughing myself into a pulmonary attack, as no one appeared, I had to enter the office.

"Can I do anything for you?" continued the small voice, which proceeded from behind a large desk, and was the property of a grubby youth, with a tatoo worked in ink across his nose.

"Can I see Mr. Seizem?" said I, politely but with dignity.

"Can't see Mr. Seizem—Mr. Seizem's out," replied the youth; "but Mr. Skinn, perhaps, will be able to do what you want."

Obviously it was his opinion, that had Mr. Skinn also been out of the way, he himself could have satisfactorily transacted any business I might have entrusted him with.

"Sit down, my good man, I'll attend to you directly," said he, and returned to his employment, which seemed principally to consist of making faces at a sheet of paper, on which he was tracing some figures. After a pause, during which I studied a work, the perusal of which made my hair stand on end, (it contained lists of the customary costs in equity suits,) he put his pen behind his ear, and asked what name he should announce to Mr. Skinn.

"Say Mr. Dempsey," replied I, still with dignity. At the sound of my distinguished patronymic, a change came o'er his speaking lineaments.

"I beg your pardon, sir," said he; "I—I—'pon my credit, I did not know it was you, sir. I'll tell Mr. Skinn"—

But, unfortunately, his apology was interrupted by the entrance of the gentleman in question. When I introduced myself, I could plainly perceive that Mr. Skinn struggled to repress a smile. Oh! that confounded letter! I all along suspected that it was a ridiculous piece of composition.

"Mr. Dempsey, I'm delighted to see you," said he, with graceful emphasis; "and under such happy circumstances, too."

Not exactly knowing to what particular circumstances he alluded, I, of course, assented that they were peculiarly happy.

"We have been expecting you some time," continued he; "I hope you had a good passage across the treacherous ocean."

The smile and wave of the hand that accompanied this beautiful expression, convinced me he was quoting some (to me) unknown poet.

"Mr. Seizem's at court?" said he after a pause, to the tattooed youth.

"Rolls," briefly responded that individual.

"In that case, Mr. Dempsey, I fear we shan't be able to have a talk over your affairs till to-morrow, unless, indeed, you feel inclined to come down to court with me now."

Having signified my willingness to face that dread arena, he said he would start the moment he had got his papers, by which he meant a rigid scrutiny of his dress and whiskers, at a looking glass in the next room. I had ample opportunity for observing his operations, as he had left the door open. His conversation, as we went along, did not belie his exterior. He seemed *au fait* with all the fashionable topics of the metropolis. He informed me how Mrs. Cooney of Thomas-street had been at the drawing-room; and how the Misses Cooney had accompanied her, and what dresses they wore on that occasion; how Captain Gosling, of the 122nd, had paid marked attention to Miss Veronica Cooney. He pointed out to me many of the notables of Dublin—the beautiful Miss Finnigan, who was soon to become Lady Mac Toulther; and Johnny Pool of the 134th, the great billiard player. Ah! destiny, thought I, as I listened in wonder, strange are thy decrees! Why fetter with a sordid and unromantic calling, a spirit born for courtlier scenes than law courts can furnish! Why imprison within the limits of a gentle-

man, one of the attorneys, a soul so capable of higher actions than mere civil ones!

"Oh, there's Mr. Seizim, at last," said Mr. Skinn; "that's he talking to those barristers. No, no—not there," seeing me looking at a group, who were standing by the basket of a locomotive confectioner, devouring buns, with apparently great relish, and trying hard to look as if they had something else to do. "But here he comes," continued Mr. Skinn; and in another moment I had the pleasure of forming Mr. Seizem's acquaintance. I never saw a finer specimen of the *suaviter in modo* school; there was an expression of benign philanthropy about his whole person—his very gaiters had a benevolent appearance.

"My dear Mr. Dempsey," said he, "so we have got you at last;" and so he certainly had, for he held and shook my hands with an energy that made us mutually perspire.

"Mr. Dempsey," said he, in explanation to a grim looking little man in a wig, who was looking on, "has just come over from England, to take possession of a fine property in this country." The grim little man smiled and chuckled—the former in reply to the remark, the latter in anticipation of a Chancery suit connected with the same property. After a further display of benevolence on the part of Mr. Seizem, it was arranged that I should call on him the next day to have a formal investigation of my affairs, and to receive from him some advice relative to them, and we parted; I, for my part, being highly prepossessed in his favour. I never considered myself to be remarkable for clearness of head under perplexing circumstances. I was always aware that my ideas were subject to a certain amount of confusion when brought to bear on details of unusual intricacy, whether commercial, statistical, or otherwise; but I was totally unprepared for so complete a prostration of all my faculties, as was caused by that investigation. The first part of it was quite within my comprehension: it consisted in a request on Mr. Seizem's part, and a compliance thereto on mine, that I would take a chair, followed by some observations from him indicative of the deep interest he took in me and my affairs, and his close and unflinching adherence to the house of Dempsey; but when, after a few preliminary technicalities, Mr. Seizem exhumed from a

tin box at his feet several unwholesome looking papers, and after removing their red tape zones, indulged me with tome extracts from them, I gradually became involved in a maze of bewilderment; for some time I struggled to extricate myself, but finding that success did not crown my efforts, I assumed a sapient expression of countenance, and tried to look as if I understood what was going on. As well as I could make out, he was explaining to me the nature of my title to the property. I had perceived that I had it from my uncle Peter, who had it from his father, and so on; but it seemed I was wrong. It appeared I was indebted for my title to a certain Roger Dempsey, who was always alluded to as "the said Roger." This Mr. Roger Dempsey had obtained one portion (moiety Mr. Seizem called it) of the lands by purchase some time in the year 1722—the other he had gained possession of in some way I could not exactly understand; but I hope sincerely, for the honour of the family, it was honest. From the said Roger the lands descended to the said Roger's son, and from him to other Dempseys in succession, until at last, after several settlings, unsettlings, and resettlings, we got them fairly into the possession of my uncle Peter, at which I felt particularly relieved.

"Altogether," said Mr. Seizem, summoning up the facts, "it is a fair title—a very tolerable title, indeed."

It had struck me as being perfect—and I hinted as much to Mr. Seizem.

"Perfect!" exclaimed he, with a look at Mr. Skinn, "as much to say, 'here's an unreasonable fellow;'" "you surely did not expect a title altogether perfect?—that is a rarity now-a-days, when there is so much trafficking with landed property; besides," he added, with a jocularly which I considered exceedingly out of place, "how could we poor attorneys get on, were it not for finding an occasional flaw. Mr. Skinn, have the goodness to hand me that rental; it appears that the present rental of the property amounts to——" (an awful pause, with display of mental arithmetic on Mr. Seizem's part, and mental anxiety on mine)—"amounts to nine hundred and sixteen pounds eleven shillings and fourpence halfpenny. Would you like to satisfy yourself by looking at it?" and he handed me the document, softly repeating, "and fourpence halfpenny," as if he

took a calm pleasure in fractions. An odd volume of the Sybilline books would have been at that moment just as intelligible as the bundle of papers he gave me; but feeling that I was beginning to stare intensely at Mr. Seizim, I gladly took the opportunity of transferring my gaze to an inanimate object. I could not help observing, on the left hand side of each page, a number of heathenish looking words, with the composition of which the simple roots "Knock" and "Bally" appeared to enter largely. These, Mr. Skinn told me, were the townlands into which my property was divided.

"And now," said Mr. Seizem, throwing himself back in his chair, and rubbing his hands like a man who was about to discuss a light and cheerful topic, "we come to the charges affecting your property."

This appeared to be the signal for a dive, on the part of Mr. Skinn, into the tin box, at the bottom of which he struggled for a few seconds, and then came up with another mass of discolored paper.

"I think," said Mr. Seizem, looking enquiringly at Mr. Skinn, and blandly at me, as he selected a paper from the heap before him—"I think we ought to give a preference to the ladies."

"*Place aux dames*," murmured Mr. Skinn.

"Skinn is quite up to all that sort of thing," said Mr. Seizem, with a wave of the hand indicative of admiration for his accomplished partner, who adjusted his locks, and smiled complacently, while I wondered what possible connexion there could be between ladies and such a disreputable looking document as that before us.

"This," said Mr. Seizem, "is the marriage settlement of your late uncle, by which he charged all that and those, the lands of—in fact the property—with the yearly sum of two hundred pounds, payable and to be paid, from and after his decease, to his then wife, as jointure and in lieu of dower, with power to the trustees to levy the arrears of the same, by distress or otherwise."

I had only time to gasp out, "Good gracious!" when Mr. Seizem, who appeared to revel in that sort of elocution, precipitated himself into the next clause, bringing out into high relief all the technicalities by the emphasis which, with artistic skill, he laid on them—

"And as a provision for the younger children—said then intended marriage—trustees—sum of five thousand pounds—in such shares

and proportions—shall appoint—in default of appointment—(well, we have nothing to do with that just now)—said sum to be charged on all that and those—same lands as before—interest at five per cent—trustees empowered to raise—sale or mortgage—in short” said Mr. Seizem, “two hundred a year jointure to Mrs. Dempsey, and a sum of five thousand pounds to which her daughters are entitled; and, by the way, Mr. Dempsey, when you go to see your aunt, as of course you intend to do (she is staying with her brother, Howlan, of Castle Howlan), will you present my respects to her, and assure her I have always felt a deep regard for her. She is a highly amiable woman, and I *do* feel a deep regard for her.”

By the frown and shake of the head that accompanied these words, he intimated that his admiration for Mrs. Dempsey was not merely professional, but partly arose from his appreciation of her private character.

“Although,” continued Mr. Seizem, evidently reluctant to quit so pleasing a theme, yet unwilling to allow his mind to be distracted by it from his more important occupations, “we have given the ladies the precedence their sex demands, there are others who might not be inclined to do so. There are other charges which, in date, are prior to theirs: in the first place, there is a mortgage—by-the-bye, Mr. Dempsey, do you know what is a mortgage?”

I replied, “Not exactly;” and this was not an equivocation; for I had always understood that a mortgage was something connected with land, and, generally speaking, highly injurious to it. I had besides a vague idea that it was *not* a weed of any sort.

“Well, then,” said Mr. Seizem, “you know what pawning an article is?”

I admitted, with a blush, that I had some slight knowledge of the art.

“When a man mortgages his property,” he continued, “he, in effect, pawns it. We’ll take a case. Here is A”—and he held up his first finger; “A is seized of real property, and is in want of money—a very common want with many in a similar position. A goes to B (represented on this occasion by his thumb), and borrows, say a thousand pounds, and as security, conveys his property to B; but as A cannot conveniently put land into his pocket and make off

with it, B, as long as he gets the interest of his money, allows A to remain in possession of the land—kind of him; is not it? That's what we call a mortgage."

While I was still lost in admiration at the magnanimous conduct of B, he gave the little allegory an air of reality, by adapting it to my case, and assuring me that to all intents and purposes I was an A; while a person rejoicing in the title of Dominick Sheehan was the representative of the high-souled but fictitious B, and as such my creditor to the amount of two thousand pounds, with interest at five per cent. I am ashamed to say that I made a trivial remark, to the effect that I had never borrowed two thousand pounds from Mr. Sheehan or any one else; to which Mr. Seizem of course replied, that if I had not, my grandfather had; and that it was all the same. I now saw my grandfather's character in a totally new light. I had always fancied him a quiet, humdrum sort of man (by the way, I was considered very like him in my younger days); but I had never imagined him to have been the extravagant spendthrift it seemed he was. It appeared, that not content with the two thousand pounds Mr. Sheehan was good enough to lend him, he shortly afterwards became a party to another A B case, and borrowed two thousand more.

"And that," said Mr. Seizem, "is, I believe, the last charge of any consequence. Eh, Mr. Skinn?"

"Except a few judgments," observed Mr. Skinn.

"A mere nothing," said Mr. Seizem; "under nine hundred, I think, altogether."

As judgments were, in my mind, only associated with school days and corporeal punishment, I requested an explanation; on which Mr. Seizem entered into a dissertation so learned, that the only inference I was able to draw from it was, that some persons having succeeded in 'proving certain claims against some other persons, I had been considered a fit and proper person to satisfy those claims.

"So now Mr. Dempsey," said Mr. Seizem, as he tied up the various papers, and restored them to the box with a care that showed he expected them to be wanted again—"now you see clearly the position in which your affairs are." (And I firmly believe the worthy man really thought I did.) "Your property has, of

course, its incumbrances—so has every property; but in your case, with the exception of the family charges, none are of any very great importance.”

“But those mortgages,” said I; “are not they”—

“My dear sir,” said he, soothingly, “do not, I beg, allow them to distress you. Mrs. Dempsey’s jointure, and the interest on her daughters’ fortunes, you will, of course, as a matter of feeling, see punctually paid; but the mortgage and judgments are altogether different. If you can conveniently manage it, it would be as well to keep them clear of interest; but if you cannot, why then never mind them; and I know old Dominick Sheehan, for one, will be just as well satisfied to let his money accumulate.”

“Accumulate!” groaned I, in horror, “why that will be only making matters worse.”

“Well,” said Mr. Seizem, “perhaps it may for your successor, but in all probability not for you; or if you are very anxious to pay off these charges, why the simplest course you can adopt is, to marry an heiress. There; what do you say to that suggestion?”

I said nothing, but merely got excessively red at it.

“There are not many in this country that would suit you, but in a year or two you might take a trip over to England, and pick up something worth bringing back.”

“Yes,” said Mr. Skinn, “there’s your ground for getting a twenty thousand pounder.”

While I was wondering by what mental process they had brought themselves to talk so calmly, not to say irreverently, on such an awful subject, the ink-stained youth announced the important fact, that Mr. Cassidy had come.

“Dear me!” exclaimed Mr. Seizem, “I had no idea it was so late. My dear Mr. Dempsey, *will* you excuse me? If there is anything else I can do for you, come to-morrow, or write to me. My advice and assistance are at your service—you may always depend on that.” And he pressed my hand between both his own, with an affectionate solicitude, which, but for the state of mind I was in, would have excited lively emotions in my breast; and then thrust me, but in a benevolent manner, into the waistcoat of Mr. Cassidy, who was entering, to whom I heard him propound a tender inquiry regarding the state of his (Mr. C.’s) health.

I must have taken something during the day that disagreed with me, for my sleep that night was disturbed by nightmare in a very unpleasant form. I thought I was saddled with a gigantic filbert, which for some time defied all my efforts to crack it, and eventually proved to be a *blind nut*.

I did not remain long in Dublin, but set off for the estate; and I found myself one evening on a lonely country road-side, sitting on my portmanteau, and gazing discontentedly after the coach that had borne me to the gate of my western Eden. A drizzling rain had been falling for some hours, and I was, if not absolutely wet, at least decidedly damp, as the man who sat behind me on the coach, had persisted in converting the space between my neck and coat into a basin for the reception of a minature cascade from his umbrella. This may have operated to disturb my serenity of mind, and I dare say the manner in which I kicked at the door of an edifice, which the guard had termed Ballinahaskin gatehouse, was calculated to offend the high spirit of its proprietor; for, putting out his head, he recommended me to "go about my business, and not be tatthering people's doors," and was proceeding in a strain of choice invective, when I heard a voice within request him to go along for a bosthoon, and then express a willingness, on the part of its owner, to go bail that it was the new masther himself. On which the male head was withdrawn, and a female face substituted in its place, which, when the door was fully opened, proved to be attached to a body almost spherical in form, and divided into hemispheres by the string of an apron.

"Your honour is heartily welcome to the counthry," said this globular individual, "an' its long we wor waitin' for you; look at him, Tim, isn't he the picture of his grandfather, God bless him! Never mind him, sir," she continued, in apology for Tim's silence, "it's shy he is, in regard of mistaking your honour for a vagabone; wait a bit, and I'll unlock the gate;" and crossing the road, she showed me by her manner that, in western phraseology, a gate was a wooden obstruction, reclining gracefully against two stone piers, and that unlocking meant raising up, and forcibly carrying away the same. Then directing Tim to take up my honour's things, and me to mind where I walked, the road was "mortal

deep," she led the way along a grass-grown avenue, bounded on each side by a high bank crowned with furze. About a quarter of a mile of this secluded path brought us to what was once an extensive lawn, bearing every sign of having yielded a crop of potatoes at no very remote period; this my fair guide dignified with the title of "the park," adding, that there was "the house fornent me," and she pointing to a pile of building, looking quite as isolated as the great pyramid of Cheops, and about as cheerful. The shades of evening threw a softened halo over the scene, and the palace of the Dempseys loomed grandly through the mist in all its majestic simplicity. It was a tall edifice of strict uniformity in every respect, except in the position of its windows; these were disposed over its face without any regard to the existence of parallel lines, and although they relieved its monotomy, yet they communicated to the building an appearance analogous to a squint in a human being.

I found, on turning to address my obese companion, that she had disappeared; but while debating whether it was possible that so much solid flesh could melt into air, I discovered that she had gained admittance by the postern, and was inviting me to enter by the grand portal, which, by the way, was very much blistered by the sun, and seemed as if attacked by some cutaneous disorder. I obeyed her request, and found myself standing, for the first time, in the hall of my ancestors. In vain I looked for the stag's antlers—the knights in armour—the array of halberts, which were always in my ideas associated with ancestral halls; but, alas, the only object connected with any age, whether feudal or otherwise, was an old umbrella-stand in a corner, looking so lonely and disconsolate, that I am convinced it would have hailed even a damp umbrella with rapture. Somewhat disappointed, I turned into what had been the banquetting hall. There I was benignly received by the portrait of an old gentleman, with a blue coat, and a saffron-coloured complexion, who smiled with an expression of intense complacency from the walls.

"The missis," said the stout lady, "took away the other masters, but left him up there, thinking your honour might like to have one of the ould ancient stock; his nose is the very moral of your own." Then remarking that I must be destroyed with the hunger entirely, she bustled out of the room, and shortly after re-appeared with the materials for a miscellaneous repast. Whilst I

was enjoying my first supper under my own roof, she entertained me with an account of her hopes and prospects; and a very wonderful woman, according to her own account, was Mrs. Fogarty, for so she requested me to call her. It seemed she had acted in the capacity of nurse to at least half the resident gentry of the country—a physical phenomenon, which I leave scientific men to account for—consequently her knowledge of the annals of the neighbouring families was very extensive, and in spite of myself I was taken with her confidence, and made the depository of several curious facts relating to them, and tending to show the esteem in which the house of Fogarty was generally held. It appears that I let fall some expressions of concurrence in that esteem, which the worthy lady immediately construed into a desire for her services as housekeeper. Resistance was out of the question, for before I could have made a single objection, Mrs. Fogarty had all the preliminaries arranged, and even hinted that some household post would be filled to advantage by her husband, Tim, who was surnamed the “*boccaugh*,” in consequence of his legs being remarkable in a discrepancy in length. Being of an impulsive temperament, she entered upon her duties without any delay, and fussed about with an energy that made me seek an asylum in the bed-room she had prepared for me.

“And now,” said I, as I was winding up my watch, “here I am about to sleep, for the first time, under a roof that I can call my own. My own—jointure—mortgage—judgment—Mrs. Dempsey—the Misses Dempsey. No; I cannot call it my own.” I slept very soundly under it notwithstanding.

(*To be continued.*)

ART. VIII.—MODERN WATER COLOUR PAINTING.

MICHAEL ANGELO painted but one picture in oil, and never painted another; he said it was work only fit for women, or people with plenty of leisure. He conceived fresco painting—essentially a water colour process—to be alone worthy of the talents of a great artist. A strange enthusiast named Blake went far beyond this, for he

wrote:—"Let the works of artists since Ruben's time witness the villainy of those who first brought oil painting into general opinion and practice. Since which we have never had a picture painted that would show itself by the side of an earlier composition. This is an awful thing to say to oil painters; but it is true. All the genuine old little pictures are in fresco, and not in oil?" Those who think strongly on a given subject, uniformly think too strongly—and seem utterly forgetful that to admire any one of the various pursuits of mankind, it is not necessary to depreciate all the others. Moreover, he who feels that his acquirements and tastes are in unison with the pursuit of his adoption, will not be the most fitted for delivering an impartial opinion on the merits of any other, especially when that other trenches somewhat on the domain of his favourite. Comparisons will be instituted; and as regards oil and water-colour painting, they amalgamate as badly as the different mediums used in their practice. We are especial admirers of water colours—but in the following pages our object is not to decry oils, but to point out those particulars in which our favorite style excels, and to remove, if possible, a few erroneous ideas that are entertained regarding it; any comparisons we institute, are made solely with reference to these objects; and if we do not dwell particularly on the many excellencies of oil painting, it is because just now our province is more particularly concerning water colours. It will be found that each style of art possesses peculiar excellencies and advantages of its own, as also that in certain other respects it is less fitted to excel. The test of a medium, or vehicle in art, is its capability of giving a truthful representation of nature: as regards landscape painting, water colour possesses in an eminent degree this requisite; of itself, almost without effort, it gives what artists term, "atmosphere" in a painting—than which few things are more difficult to render in oils. Every one must have remarked the absence of shine in most objects in nature—in a distance it is never seen—and it is the similar absence of shine in water colour which gives the natural effect with such admirable truth. To many it will appear from this, that to paint in water colours is comparatively much easier than in the other medium—but excellence in either, is of about the same difficulty of attainment; a beginner, or one possessing but indifferent skill,

unquestionably finds it much easier to work out a tolerable effect in oils; greater facilities of making alterations exist—and as the lights are put on, instead of the more laborious system of leaving them—very often the work, when finished, has no resemblance whatever to the ideas under which it was commenced. Correctness of drawing is a desideratum which he is also able to dispense with—for a dauber who practices in oils can proceed almost without an outline, and can paint after a manner—although he cannot draw. These are some of the reasons why such a vast majority of the indifferent artists are oil painters—although it is a singular fact, that nearly all commence their career by painting in water colours. A bad oil painting is very bad—but indifferent attempts in water colours do not strike one with the same ideas of absolute deficiency, and they are certainly somewhat fewer in number.

In water colour painting a correct outline is an essential—and before any colour is laid on, the general effect and treatment must be arranged, and present to the mind of the artist. Undoubtedly this is the practice of *all* who are, or have been eminent in art; but, as before observed, those of inferior powers can dispense with such fetters to their genius, and, in oils at least, astonish themselves and others by magnificent effects! But such is not possible in water colours; true it is, that some years ago an artist of the suggestive school appeared, whose method was to scatter at random on the paper a few blots of different colours, and taking advantage of accidental forms, make out something resembling nature; but he found few admirers, and even less disciples.

Sir Joshua Reynolds thought it not unlikely that water colour might ultimately rival oil painting; and it seems almost as if his anticipations were about being realized, as a most extraordinary and rapid advance is latterly evident in the practice of that art: formerly they were mostly weak tinted affairs, the shadows being in a great part made out with Indian ink, and a little thin colour washed or glazed over. Some of Turner's earlier works in water colour were thus executed, and persons are not wanting to admire this mode as the only legitimate style, and exalt it above the best emanations of the modern school of British water colour painters. They were denominated drawings, wherefore it is difficult to conceive, as the

word drawing is generally applied to a combination of lines giving the semblance of some particular form; but when light, shadow, and colour are shown, and when the form is made out with brushes, painting would seem the most fitting term. It was deemed a great innovation when the system of taking out lights was introduced, which, for the benefit of the uninitiated, it may be well to premise is effected by damping a portion of the picture, and then with bread, removing the colour, so as to show the surface of the paper underneath, by which very beautiful effects are produced; but the most decided improvement, and at the same time the one which gave greatest umbrage to all those who love the beaten track, and hate innovation, was the use of body colour for laying on lights. Even to the present time, there are many who cling to the exploded prejudice, that the laying on, or taking out of lights, is an utter departure from the legitimate style, as they facetiously term it; although why it should be allowable, when colours are mixed with oil, to use both opaque and transparent pigments, but when water is the medium, only those which are transparent, seems difficult to determine; in fact, the objection is absurd, and scarcely worth contempt. The only test of the admissibility of any process in painting, is its durability. The great excellence of modern water colour painting, is owing to a judicious combination of the three methods just glanced at—and which has elicited somewhat of a jealous feeling on the part of oil painters, evinced by sundry regrets at the fleeting nature of water colours. Before proceeding farther it may be advisable to enquire if there be any just ground for this insinuation, and whether oil painting can fairly lay claim to the greater durability which its admirers and professors claim for it.

Pigments are durable or evanescent, because only of an inherent property they possess; and the medium with which they are mixed, can exercise but a very slight influence, if indeed any, on these properties. The majority of pigments are permanent, a portion tolerably so, and the remainder, decidedly transient in their effects; unfortunately some of the most beautiful are in the latter class, and the temptation to their use is sometimes too strong to be resisted by artists; it is, therefore, a favourite theory with them, that if incorporated with other pigments that are very permanent, or that if

wrapped up in a medium composed of oil and resinous matter, they are rendered lasting in their effects. Practical experience is against this theory, in common with many other ingenious speculations. Sir Joshua Reynolds yielded to this pleasing delusion, and was constantly trying experiments; concerning which he left at his death many valuable hints as to his modes of practice, which are chiefly valuable as things for artists to avoid: we are now in a position to arrive at a fair verdict as to the results—for very many of his most charming productions are in a sadly changed state; and even in his own time it was a saying with his contemporaries, that Sir Joshua always came out of the exhibitions with flying colours. In the Dulwich gallery there are a few excellent works by Wovermans; an ordinary observer will remark the strange contrast between some of the red draperies on his figures, and the other portions of his carefully coloured pictures, they seem so careless and unfinished. The seeming anomaly is easily explained—he first got in his draperies red, and then painted, probably using much glazings, his shadows with lake, the most beautiful and the most evanescent colour we have—and the latter has altogether disappeared, leaving the original red mass exposed. In a public institution in this city, there hangs the portrait of a veteran, painted by a late artist; he had been bronzed by many a clime, and perhaps wine had contributed to the rubicund tone of his jolly visage; howbeit, the artist rendered him full justice, but in a little time a change came over the face of the counterpart resemblance, which grim death could scarce achieve on that of the original, and it waxed pale and sallow. The effect had been mainly brought up by using lake—and though it was well wrapped up in megilp, it fled. Now the very same can be said of water colours; if an artist will not discriminate in the use of his materials, but uses evanescent colours, unquestionably they will fade, and expose the white paper in those parts; and from this cause, and this cause only, many clever water paintings have changed, and in some cases utterly lost their beauty: this has been particularly the case in the earlier water colour works, and has for that reason given a show of truth to the assertion that they cannot stand the test of time. Modern water colour painters are more careful in the selection of their materials, and there is unquestionably

an immense improvement in the preparation of the colours, &c.; for instance, the earlier artists are almost forced into the adoption of the use of lake; but, modern science has brought the preparations from the madders to such perfection, as completely to supersede the use of that beautiful colour; and all the madders are exceedingly permanent: this has been equally a boon to the oil painters, although it was the requirements of water colour art that elicited the improvement.

Again water colour, although more liable to suffer from extrinsic injuries than oil, is by means of the glass, much better protected, or they can be preserved intact in a portfolio for years. Such a mode would, however, completely destroy an oil picture, as the absence of light would in a short time turn the colours, especially the delicate tints, a dark brown. This is owing to an inherent property in the oil to grow yellow, which no bleaching process has hitherto been able to counteract; and is moreover what some connoisseurs denominate a mellowing by time. Many must have seen some veritable old pictures so mellowed, that it was next to an impossibility to make out what could have been the subject. Hogarth, to caricature such admirers, represented Old Father Time, with his sythe, through the painting, and tobacco pipe in hand, busily smoking it quite black! a large pot of varnish significantly placed close by.

It is plain to demonstration, that if a picture is, as it should be, perfect in its effect, leaving the artist's easel, any subsequent change must be a disimprovement. It is but sorry consolation to inform the possessor of a picture fresh from an artist's easel, that its full beauties will only be appreciable, when he shall have become unable to behold them. It is said that the equal mellow tint which in time the oil picture receives, promotes harmony of tone; this might be true, if the aforesaid mellow tint was perfectly equal in its distribution; but a slight tone of yellow colour, although evident enough over delicate light blues, pearly greys, and whites, is not appreciable over warm greens, light browns, or yellows; therefore, the natural result is to destroy harmony, that is, supposing it already to exist in the painting: a blue sky tint cannot be too purely blue, and any after change, giving a greenish hue, must be a diminution of the natural effect. Those who talk so flippantly of the

extraordinary preservation of the pictures by the old masters, forget that scarce one of them is as it left the artist's hands. They have been varnished and unvarnished, cleaned, restored, and retouched over and over again. Picture restorers are almost as plenty as picture producers—and their labours are almost exclusively confined to oil pictures. The only cleaning a water colour painting requires, is to polish the glass, and it is much an easier matter to renew the brilliancy of a few weakened parts, than is a similar process on an oil picture.

Why is it, if water colour is in its nature more fleeting than oil colour, that the paper-hangings on our rooms outlast the oil paint on our doors and windows? Although the water colour paint used for the former is so liable to extrinsic damage, as to be called by house painters "distemper colour!" And it is a curious fact, that the sketches and lightly tinted drawings of the old masters which are in the portfolios of the curious, are in a better state of preservation, although executed on paper, than the canvass and panels on which their finished works were painted—damp and exposure having done the mischief.

Most travellers in Egypt have borne testimony to the wonderful brilliancy of the colours used in the decorations of the ancient temples, &c. The great Temple of Isis has been especially referred to for the almost unimpaired vividness of the colours, excelling in some instances the brightest tints that modern chemistry has been able to discover; they possess all the characteristics of water colours or tempera, and, no doubt were in all essential particulars water colours; it must be conceded that this is a test to which oil painting has not yet been submitted, and at all events demonstrates that colour, if durable, will sustain its brilliancy altogether independently of the medium with which it is compounded, unless the medium be chemically noxious to it, which unquestionably the gums used to temper water colours are not.

The object of the above is not to depreciate the practice of oil painting, but to show that, as regards durability, it and water colour painting are on a perfect equality. It was stated at the beginning of this article, that the advantages and disadvantages of the two styles were pretty nearly balanced. If, in some respects, water

colour is best fitted to give natural effects; there are some others in which oil is amply compensated. An oil painter has much greater power over his material, because that it does not dry so quickly; he can therefore unite them much more easily and equably, provided he does not too much torture and tease them—and herein lies the difference between the great artist and the one of mediocre acquirements. The former having set out with ideas well matured, embodies his conceptions rapidly, and gives a charm by a few judicious touches, laid exactly in the proper places, which the most painful and painstaking muddling of the latter fails to achieve.

Oil painting is admirably adapted to large subjects, particularly whole length portraits, life size. This is its peculiar forte, in which it stands unrivalled. Animals also are better treated in oils; the texture of their hides and hair is so truthfully given by a few vigorous touches of a hog-hair pencil. Witness Landseer's inimitable works, which have never been equalled by either ancient or modern painters, and probably never will be excelled. Unquestionably Sir Edwin Landseer is the greatest and most original artist of his time, for he excels in the most opposite styles—landscape, figures, animals, and portraiture; in all he is equally excellent, which can scarcely be said of any other painter. The Oxford Graduate, in his "Modern Painters," attempts to decry Landseer. This is in his second volume, where he has got into the clouds concerning the ideal in art. He accuses him of painting "hide" in preference to "the ideal of a horse," alluding to his picture of "The Shoeing," and contrasts the superiority of a dog by Leonardo da Vinci with the canine delineations of Landseer, praising the former most inordinately, because there is no attempt in it to give the effect of hair, "scarcely even form;" whereas, in Landseer's dogs, he says, every crisp and naturally wavy curl is shown, indicating the anatomical development underneath. In another part of the same work he takes exceptions to those artists who paint with a slovenly affectation of power, giving scarcely any detail, and scornful seemingly of care. Verily, it is hard to please those who will not be pleased. The highest excellence in art is shown by the powers of mind evidenced in the conception and combination. In this Landseer is pre-eminent. His pictures are most beautifully composed; thought is visible in all

his arrangements of form, light, and colour, and even the most trifling object is introduced for a purpose. The picture of "Shoeing" perfectly illustrates this. It is, in its subject, perhaps, the most common-place of Landseer's works, merely representing a horse being shod in a blacksmith's forge; but the hand and mind of genius ennoble the most ordinary subjects; and, in this instance, a charming composition has been produced, mainly by happy and judicious arrangement. The bluish vapoury tone of the smoke to the right, not only helps to balance the sky, but contrasts well with the bright bay colour of the horse, at the same time that it throws out the animal from the background. The dog in the foreground repeats the colour of the horse in a lower tone, which is still more distributed by the smith's apron and the bit of brick wall behind. There is great knowledge shown by the judicious way in which the upright lines of the building are kept from interfering with the figures, and the introduction of the donkey, contributes to this by concealing the lower portion of the doorway, and also affords a mass of light neutral colour to harmonize with the sky seen through the open door, against which the horse's head and neck, in deep shadow, tell so finely. The chain of light is beautifully exemplified in this picture. The high lights on the horse are continued by the white light on the shirt sleeves of the smith; then the bright sunlight on the ground, close to the white nose of the donkey, the sky and sun-lit doorway, and lastly, the bird-cage at top, continuing the light, unites the whole composition, and completes the chain. To the mass of observers we fear all this is lost. They see only the representation of a horse, a man, and a donkey, and deem the cage there because the artist often saw one hung in a similar place. The picture, as a work of art, would be as much injured by painting out that cage, as would a fine sentence in poetry by leaving out a word. But, *revenez à nos moutons*.

The superiority of oil is not so visible in painting animals when a tolerably large size is departed from. Small subjects of this kind have usually somewhat of a vulgar look, that similar ones in water colour never convey. Those who are conversant with the inimitable cattle pieces of Sidney Cooper will have observed the much greater artistic effect of his water colour paintings, as compared with his

oil pictures, There is a captivating effect about the former, which his more laboured works in oil have not approached, notwithstanding that his style in water colour is much weaker than the majority of modern water colour painters, for he uses scarce any opaque or semi-opaque colours. In fact, most cabinet pictures executed in oil, are not so pleasing as the larger paintings; they have too much the appearance of being painted in imitation of water colours. Goodall's exquisite works are no exception to this; the materials appear too heavy and solid, and the more this is lost, the more is the effect of water colours imitated, and the greater the beauty evinced. In the water colour paintings of Topham, there is infinitely more of nature, and the atmospheric effect is inimitable. We are not making a comparison of the relative powers of the two artists; we speak but of the effect produced by the exercise of their genius, as shown in the two opposite mediums.

It is in landscape painting that water colours more especially excel, principally because of the greater effect of atmosphere which it gives, as also that effect of flat colour, or rather absence of shine, already alluded to. In painting blue skies, with luminous sunlit clouds, oil painters have a decided advantage, as they can proceed leisurely, and make out the forms and masses by laying on white. In water colours the very opposite of this method must be pursued; the blue colour is floated on in a thin wash, allowing the white paper to remain where the light fleecy clouds appear. It is much more difficult to give the rounded and broken forms of these clouds, because the tint of blue has to be laid on rapidly, for if it dry in one part, while another portion is being manipulated, the effect of the clear azure is destroyed, and clouds are developed, where none ought to exist. A multitude of expedients are resorted to by oil painters to do away with the natural gloss of their material, by the use of turpentine in the colour, washing with turpentine, &c., by which means the appearance of water colours is, in a great measure, arrived at; but there is never that perfect evenness of flat tone attained, because the oil colour must be more loaded in some parts. However, this effect is altogether destroyed by the first varnishing the picture receives, and if not varnished a sky so painted is just as liable to every external injury, as a water colour painting hung up without a glass. Flowers and fruits are

totally unfit for oils; the delicate petals of the rose appear as if formed of leather, and it is quite impossible to represent the beautiful farina which covers some blossoms: peaches, grapes, &c., are equally out of the power of this medium. It is nothing to say, that such have been painted in oil by men of great ability; their works, when impartially viewed, only substantiate this fact. Compare the works of Van Os with those of Hunt; there is more real force, and natural truth, in the latter by far. We have now before us a group of auriculas by Hunt, which are positively quite wondrous.

A great advantage which fresco paintings possess over all others, is the beautiful flat appearance of distemper colours, joined to that exemption from damage by wet, or other external injuries, which oil colours enjoy. Owing to this flat effect they can be viewed from almost any point with an equal appreciation of their beauties. Not so however with oil paintings, as visitors to picture galleries have too often experienced; the reflection of the window on their shining surfaces is always obtruding itself, and some are so unhappily placed that the subject can only be seen by a kind of oblique view, very much to the detriment of their artistic effect. Water colour paintings are, in some degree, participators in this, occasioned by the plate glass which protects them; there are few things more annoying than this reflection.

Fresco painting is less agreeable in its practice than any other style, for it must be done on wet plaster, in small portions, and cannot be re-touched or amended when once dry. Painting in *tempera* is, perhaps, of all styles the one which gives the most faithful representation of nature. The scenery of theatres, panoramas, &c., are, for the most part, thus executed, because of the dead, flat, non-reflecting surface it has. It differs in no respect from water colour painting, except that the light blues, greys, &c., are made to have body by mixing with white, some water and size being used to temper the colour; but it has the annoyance of looking quite dark while wet, and the slightest touch or moisture stains it. When dry, no colour can compare with it for giving the idea of purity; in fact, colour mixed with oil never can convey this to the mind; there is always a sensation of a greasiness connected with its shining surface, totally incompatible with the idea of purity. Some of the most exquisite combinations

of colour we have ever seen, have been in *tempera* on French paper hangings. It is to be hoped that the resources of modern chemical science may yet discover some medium for tempering pigments, that will combine the durability of fresco, with the elegance and facility of *tempera* painting. It would be an almost invaluable boon to art and artists.

Those who attach importance to antiquity acquaint us that water colour painting is unquestionably the more ancient art. The discovery of oil painting is generally supposed to have occurred early in the fourteenth century, and has been ascribed to John Van Eyck. Oil paintings of an earlier date are stated to exist; but it is undoubted that oil painting only came into general practice about Van Eyck's time, before which water colours were the only style used, and it was the practice to give a coat of varnish to the whole picture when completed, which was placed in the sun to dry; and it is said, that one of Van Eyck's pictures thus treated, owing to the wood being ill-seasoned, or badly put together, cracked, and became altogether spoiled. This accident put him on the endeavour to make a varnish that would dry without the necessity of exposing it to the sun's rays. After many experiments he discovered the varnish so much prized by him, and other painters. He also found that by mixing this varnish with his colours, they fully equalled the brilliancy and force of the former method, and obviated the necessity of varnishing. It is added, that the secret of compounding this varnish, or medicine, was lost; and it is undoubted that, up to this present time, oil painters have been unceasing in their efforts to re-discover it; Van Eyck's medicine causing some fierce controversies, and the inditing of many volumes.

Paul Sandby seems to have been the first to attract attention to the practice of water colours in England, about the year 1770, and has been sometimes designated the father of the English school of water colour painting. He introduced tinting in Indian ink, the shadows and half tones being made out with different gradations of tint. This was his peculiar style: most of his works being tinted in this manner, without any colour, at a later period thin washes of transparent colour were laid on, the Indian ink forming a primary ground work by which all the shadow portions were described; and

this continued to be the system of practice up to a very late period. It is curious that the use of Indian ink is almost entirely discarded by modern water colour painters, and now is scarcely used except by architects.

The founding of the Society of Painters in Water Colours was a remarkable epoch in the practice of this art; the extraordinary perfection to which it has been brought, is in a great measure, owing to the annual exhibition of the works of its members. There are no similar societies existing on the continent; in fact, modern water colour painting is peculiarly a British art, being very little practised by foreign artists. There is a style of *tempera* painting much in vogue amongst the Neapolitans, very hard and stiff in its execution; indeed, of very inferior merit.

The first exhibition of the Society of Painters in Water Colours was held in the year 1804, at Spring Gardens; Havil, Turner, and John Varley were the principal contributors—the latter contributed sixty of his own works; his style was very peculiar; he painted mostly on a kind of thin wrapping paper, possessed of very absorbent properties, which was laid down on strong drawing paper, and when he required white, or very high lights, he removed the coarse upper surface, so as to show the white paper underneath; his pictures were very effective, but not carefully manipulated; his light tones were laid in with opaque and semi-opaque colour in thin washes, and his blue skies were thus painted: the bits of straw, and other coarse material, of which the paper he used was manufactured, often had a curious appearance peeping through his tints. He heightened the transparency and force of his foregrounds by using gum water, which gives very much the effect of oil colour, and has the objection in common with it, of taking a reflection; it is, of course, a matter of no moment when a glass covers the picture, but without a glass the effect of the unequal surface is not agreeable. J. M. W. Turner, R.A., has, of late years, altogether eschewed water colour painting, and has adopted an extraordinary style in oil peculiar to himself. There may be said to be two parties formed concerning Turner—one of which think him the greatest of modern artists, and his works the only genuine embodiment of ideal art; the other party think him hopelessly mad. His pictures are as-

tonishing for their effect, when viewed without reference to any other quality, and at the distance of four or five yards; indeed, we think no man can thoroughly admire Turner, who has ever examined one of his pictures closely. A spectator should do violence to his curiosity, and most religiously abstain from a near inspection, for if he once approach, the charm is for ever broken, and the eye sees nothing but chaos of bright colour.

P. De Wint, Copley Fielding, David Cox, and S. Prout, may be said to represent the transition series in water colour art, as they are the immediate successors of the earlier pioneers, and contemporaneous with the more modern professors; compared with the works of the latter, those of Copley Fielding, and De Wint, appear somewhat old fashioned in their method. Prout's style is so peculiarly his own, so artist like, and effective, that it will be always Proutish, and will never seem antiquated. One of the greatest beauties of water colour is the extraordinary variety of style and method observable in the works of different artists, and to this variety is attributable, in great part, the pleasure we feel in visiting the exhibitions of the two Societies of Painters in Water Colours, in Pall Mall. The difference of manner in oils consist for the most part in manipulation. The method of painting is very nearly the same with all, and the varieties of treatment are almost altogether owing to the different mental endowments of the various artists. To give a familiar example of what we mean to convey, we would instance the difference which exists in handwriting, although similar letters are formed by all, as compared with the greater diversities of hand when German text, black letter, italic, and Roman characters, are also used. We say the first represents the oil system—the latter that of water colour painting.

Prout's manner is to show a decided outline in all his works, chiefly buildings, and architectural delineations, which seem his peculiar forte; his outlines are usually broad, as if drawn with a reed pen; his shadows and detail laid in with large flat washes or tints, so as not to destroy the penned lines. It is extraordinary the force and beauty of his style, especially when we consider that, to some extent, it is a deviation from truth, as lines are never seen in nature. The figures which embellish his works so much, are like-

wise very peculiarly treated, but little shadow being used by him; in fact they have the appearance of being flat, as if formed out of board; but the artistic skill with which they are introduced renders the effect of the whole unequalled. This peculiar treatment of his figures, is perhaps, not so unnatural as at first one is apt to suppose, for figures in nature, a little way removed, have very much this appearance. Kitto, in his work on Blindness, gives an instance of inability to discern at a short distance, the difference between an ivory ball, and a flat piece of paper cut into a circular form. This was a case where the sight was but newly restored, and the eye had not been educated by the sense of touch, acting with the vision, or, more properly perhaps, correcting it.

The manner of T. M. Richardson, junior, is of all the styles in water colour the most effective; the high lights and half tones of his works are painted with opaque and semi-opaque colour, and the result is a degree of apparent solidity in his forms, highly effective and truthful, for in nature nothing strikes so much as the effect of firmness and solidity; all objects in nature have the appearance of firmness and solidity, and a weak style of tinting, leaving all the lights, seems wanting in natural truth, from the total absence of this quality. The effect of sunshine in his pictures is admirably given, and is owing greatly to the opacity of his lights; sunshine always appears as a thing laid on, and palpable. We say that the sun gilds the tops of the mountains, and nothing will render this effect but colour, possessing body, laid on as gold is by gilders. In some of Richardson's works we have seen the blue of the sky laid in with opaque colour, white having been mixed with it, exactly as in oil painting, except that his clouds were painted with transparent, or, at least, semi-opaque colour; the effect was very beautiful, and is a procedure we have never noticed in any other artist, except the elder Rowbottom. However, he painted all his pictures in *tempera*, or body colour, as it is sometimes termed; and very beautiful they were.

Cattermole is another example of variety of method; it something resembles that of Richardson, only adapted to figures instead of landscape; he uses more body colour than any modern artist—and the effect he gives to the armour on his figures is uncommonly good.

As we are on the matter of body colour, we must instance an extraordinary picture by Lewis—Cairo Lewis, as he is sometimes designated from his long residence abroad—in the last year's exhibition of the older Society. It represented the interior of an eastern harem—or hhareem, as it is written in the catalogue. This picture is entirely painted with body colour, used in the manner of the native artists of India and China. It is very large, about four feet by three—and seems to be all painted with the smallest camel hair pencils, so minutely treated are all the parts—and what is the more extraordinary is the breadth of effect he has achieved out of such a multiplicity of small objects. All the light which finds its way into the hhareem, is through close lattices, each interval seemingly about an inch wide, and the shadow of these lattices where the sun comes through and falls on the tassellated floor, &c., is most accurately given. Not only are the gorgeous and intricate patterns of the shawls and draperies rendered almost to a thread, but the reflection of the lattices falling on them in parts, is also shown—the whole effect is one of bright sun light without any dark shadows. The mere manual labour alone must have been immense. The grouping is admirably managed; but the strangest part is his method of painting flesh, so very different from that used by most artists, as he renders it by minute dots of body colour—the lights seemingly the last put on. The system almost universally adopted by artists is to get in the shadows by what is called handling, that is, a number of minute lines or touches crossing and re-crossing each other. The whole when finished, having that beautifully stippled effect which gives the appearance of the human skin so admirably, by artists rather oddly called flesh. It is a style not likely to be much followed by artists, nor is it desirable that it should; but it is valuable for having shown how much can be effected by body colour, and how mistaken are those artists who set themselves against its use.

Oakley, is also an example of style in figure-painting resembling P. M. Richardson in landscape; but he wants the liquid flow, and transparency of the latter, and has moreover rather a hard manner of treating flesh.

We have before adverted to the very decided excellence of water colour art in landscape painting, unapproached in any other time or

country for its extreme truth to nature, and especially every day nature; all the varied effects of season, atmosphere, sunshine, and storm, are rendered with exquisite care and nicety of observation; from the smallest weed by the roadside to the magnificent king of the forest, all are caught and faithfully transcribed by the almost magic pencil of our artists. Nor has the poetry of landscape been neglected, but has proceeded hand in hand with the careful study of nature, together, and inseparable as they ought to be always; and not as those would have, who mistify themselves as well as others, when they discourse of high art and the ideal. It was a pet theory with some that our climate was inimical to artistic genius, and especially from its dull atmospheric effects, totally incompatible with excellence in landscape, which only the sunny skies of Italy could call forth; but, happily, this fallacious idea is exploded, and instead of proving an obstacle, it has become the very reverse, the rapid alternations of our variable climate being much more favourable for picturesque effect than southern, and especially tropical scenery.

The names of many artists, eminent in landscape, occur and almost slip from our pen as we write; but those whom we have mentioned hitherto are mostly given as prominent examples of the diversity in style and method so much more evident in water colour than in oil practice. We therefore hesitate to venture on being invidious, or our examples degenerating into a dry catalogue of names; still William Callow, Aaron Penley, Edward Duncan, and George Fripp, may be instanced in addition, as amongst the most prominent in landscape painting.

John Callow is an example of the excellent adaptation of marine views and shipping, to water colours. We would instance his method of taking out a sharp bright light with a knife, the white paper thus shown, gives a truthful effect of foam on the crests of the waves, that no colour laid on can possibly give. Joseph Nash must be mentioned as an instance of peculiar style in architecture, especially interiors, which he embellishes with figures as in the olden times. These latter are introduced with great effect, and are very artistic—he uses much body colour, and his effects are exceedingly brilliant. No artist that we remember has treated interiors artificially illuminated, with so much skill.

In 1843, a second Water Colour Society was formed; the circumstances which led to its formation are matters into which it is no part of our province to enter at present. Cliques and exclusiveness in the older society were most probably the predisposing causes; unhappily they are but too prevalent in art institutions, and are not wanting in those of Dublin. Water colour painting had rapidly grown into importance, and artists practising it more numerous. The society then existing was limited, therefore, to provide a place for the exhibition of their works, a subscription was entered into, and a gallery taken, to which all artists were invited to send water colour pictures—their subscribing or not being perfectly optional. It resulted from this proceeding, that the older society found that room could be made for more members, and it absorbed a good deal of the available talent of the newly formed body; nevertheless, the new society prospered, and although it has occasionally suffered from internal differences, which seem inherent amongst artists; it is now highly efficient and yearly advancing. Allan Cunningham, in his lives of British artists, says—"The animosities of artists are only surpassed in sharpness and malignity by those of religious sects." Certain it is, however, that the establishing of the new society has contributed to the advance of water colour art, for healthy competition is almost invariably beneficial.

The new society has rather eclipsed the older institution in the department of figure painting, although it has lately sustained some defections to the older society, there are no evidences of a falling off in this particular; and though the seceders are undoubtedly men of very great ability, yet the other society does not appear a material gainer by their adhesion. Edward H. Corbould, and Henry Warren, the President of the Society, are pre-eminent in figure compositions, as also L. Haghe. Although in style these artists differ very materially, their method is much the same. Corbould paints his flesh very peculiarly and beautifully, laboured to the last degree, so as almost to resemble painting on ivory. His pictures are also remarkable for their great force and depth—in fact, he is sometimes too forcible—approaching the effect of oils more than is desirable. Warren is particularly fond of bright effects, and is very successful in producing them; he is not much affected to the use of body colour,

for which reason his paintings, especially when bright sun-light effect is shown, look a little weak, giving a spectator too much an idea of the white paper on which the work is produced. Haghe is an exquisite artist, either at figures or interiors. Most people are familiar with his charming "Sketches in Belgium," &c. He uses body colour to some extent, but chiefly as touches, to heighten and give sparkle, especially for gold lace or ornament; indeed it is utterly impossible to paint the latter without body colour. In painting architecture in any of his pictures, Haghe ever uses the pen to form angles, ornaments, cornices, &c., as Prout, Nash, and most others do, and the effect is, of course, so much the more natural. Absolon paints most delightful cabinet pictures, and rarely ventures on the large size compositions of the artists just named; he is exceedingly careful and laboured in his style, but not painfully so; the free hand of the accomplished painter is always evident; he utterly eschews body colour, and the best idea that can be given of his style to one not conversant with his works is free miniature painting on paper. Robert Carrick is an instance of style the very opposite of Absolon; his compositions are on a rather large scale, boldly treated, and with much breadth of effect, opaque colour being very skilfully introduced in his lighter tones of colour. E. H. Wehnert furnishes an example of transparent colour only, and his effects and general tones are somewhat sombre.

Although figure painting has been so successfully cultivated, animal painting in water colours is decidedly in abeyance; with the exception of Sidney Cooper, no artist has attained to much celebrity in this department, and as he is not a member of either water colour society, his works are never seen in their annual exhibitions. There is nothing that in water colours approaches the inimitable works of Landseer in oils. Corbould has been occasionally very successful in his animal delineations; in his pictures of "The Travellers," the old war horse is well treated, and the head especially is very fine. Henry Warren and Aaron Penley have also occasionally essayed this department, and also Frederick Taylor of the old society, but the style of this latter artist does not seem calculated for animal delineation—it is too bold, or more properly perhaps, careless, and he is very deficient in natural truth.

Amongst the two societies, there are no less than thirteen ladies who are members, and it may be added, that their co-operation here is fully as valuable as it is universally acknowledged to be in all societies. We would particularly instance Mrs. Oliver in landscape, and Miss F. Corboux in figure painting.

All art in Ireland is in a backward state, the causes of which we have in a former number attempted to investigate, and water colour art is even less developed than other departments. There are but five artists in Dublin, who practise water colour painting exclusively, Burton, the two Hayes', Henry Newton, and George Petrie; perhaps the latter gentleman cannot strictly be described as exclusively practising water colour painting, as he devotes himself far more to antiquity and literature, but when he does employ his pencil it is on water colour painting. The Messrs. Brocas have for many years practised in water colours, but they also devote themselves very considerably to oil painting. Henry O'Neil used to paint very excellent water colour landscapes, but latterly he also has turned his attention to oils, in our opinion not so successfully. M. Kendrick produces some very clever marine views, but he is almost altogether an oil painter. George Sharpe also, professedly an oil painter, has lately essayed a few works in water colours with great success; in fact this artist's peculiar style is infinitely more fitted to excel in the latter than in oils. W. G. Wall, though practising most in oils, produced occasionally some very clever water colour landscapes. L. K. Bradford practises rather much in water colours, especially landscapes. B. Mulrenin is almost exclusively a miniature painter, but has occasionally produced some water colour compositions. This may be said to be the whole available strength of water colour art in Dublin. It is therefore not surprising that the water colour exhibition of the Society of Irish Artists, encountered great difficulties and discouragement. Its members certainly exerted themselves very much to sustain it; the last exhibition of the Society contained 151 works, only 33 of which were contributed by English or non-resident artists, being by far the largest proportion in any of its exhibitions. The Society also, had not the co-operation of either Burton, Petrie, or Mulrenin; those gentlemen being members of the Academy, from what we presume to call a mistaken feeling of *esprit du corps*, never

contributed to its exhibitions; although to do away with any feeling of rivalry, the water colour exhibition was holden in the winter season, not to interfere with that of the Academy in the spring.

The Society of Irish Artists' water-colour exhibition has not been held since 1847. The dearth which extended itself over this country, added to the mismanagement and failure of the Art Unions, rendered the success of such an effort hopeless. We earnestly trust, however, that the water colour exhibitions will not be suffered altogether to cease. We believe the Society, although in abeyance, has never been dissolved; and we would urge on the consideration of those connected with its management the propriety of its resuscitation. Circumstances in this country seem tending to improvement; and it is to be hoped a more liberal spirit will manifest itself amongst our artists. On the part of the public there is an unmistakeable desire to support a water-colour exhibition; in fact the exhibition was always very fairly supported. Water-colour painting comes more within the means of the great mass of the picture-loving public, not being usually so enormously priced as oil paintings; they are also more suited to the genius of the British people, their most remarkable characteristics being domesticity; therefore do they incline particularly to representations of familiar objects and every-day scenes. They like to surround themselves with what contributes to this feeling. Lofty and extensive apartments are quite antagonistic to ideas of comfort in our climate. The large productions to which oil painting is best suited, are completely out of place in most of our habitations; but even the largest subjects in water-colours are quite in accordance with the average size of our rooms. The Dutch people, and of course their painters, had this very attribute of the love of things household and domestic, but it was vulgarly manifested; their painters thought only of giving a literal representation of nature—very often a disgusting one; refinement and ideality took no part in their combinations. Herein do our artists most especially differ; they seek, in giving us natural truth, to let it elucidate a sentiment that speaks to the better part of our nature. A well constituted mind is always impressed with pleasurable emotions, when amongst the trees and fields on a bright day—away from money-getting and bricks and mortar. Amongst the beautiful works of nature, a feeling

of admiration and love towards the Great Author who made all so excellent, will steal over those even who are but little susceptible of such ideas. Who has not felt the more than usual flatness of the aspect of a town home, on returning from the country? The common saying, "God made the country, and man made the town," is an evidence of the universality of this feeling; and more poetry is contained in that pithy sentence, than in twenty of the namby-pamby drawing room mock sentimentalities, which weekly inundate us from the music publishers—"Will you love me then as now?"—"Yes, dearest, then I'll love you more!" *et hoc genus omne*. A truthful representation of nature is also calculated to vivify this feeling, though necessarily not to the same extent. Painting speaks an universal language; and the household which contains a few pictures will be in every sense bettered.

There is a remarkable analogy between the literature and the art of a people. Shakespeare and Dickens are excellent exponents of British taste; and the style of Eugene Sue and Dumas is no less foreign to us, than in accordance with the French people. Lewis and Mrs. Radcliffe attempted to introduce it, but the exotic found nothing congenial. "To each species of work here below should be left its own proper sky, its own shelter, and its own sun." Hitherto all committees of taste in this empire, of whatsoever kind or constitution, have invariably acted directly antagonistic to this principle. They have been always striving against nature—endeavouring to force a taste and liking for that which is unsuited not alone to our people, but to the genius of our artists. Hogarth was the first to throw off the absurd shackles imposed on art, and boldly followed nature in preference to its dictum; but he was deficient in elegance and refinement; a vulgarity, often even a coarseness, was evident in his conceptions; although some allowance must no doubt be made for the difference in manners and habits of modern society compared with the times of Hogarth. He was undoubtedly the leader of the British school. Allan Cunningham bears the following testimony to his genius:—"As a *painter*," says Walpole, 'Hogarth has slender merit.' What is the merit of a painter? If it be to represent life—to give us an image of man—to exhibit the workings of his heart—to record the good and evil of his nature—to set in motion before us the very

being with whom earth is peopled—to shake us with mirth—to sadden us with woful reflection—to please us with natural grouping, vivid action, and vigorous colouring. Hogarth has done all this; and if he that has done so be not a painter, who will show us one? I claim a signification as wide for the word painter as for the word poet. But there seems a disposition to limit the former to those who have been formed under some peculiar course of study, and produced works in the fashion of such and such great masters. This I take to be mere pedantry, and that as well might all men be excluded from the rank of poets, who have not composed epics, dramas, odes, or elegies, according to the rules of the Greeks.”

An Art Union, established for the development of water colour painting in Ireland, would be decidedly popular, occupying itself exclusively with this mission, and eschewing engravings, which have hitherto engrossed the largest portion of Art Union funds, besides being a departure from the original Art Union principle. The Royal Irish Art Union “dies, and makes no sign!” Perhaps the Council of the “National Art Union” may take the above hint.

NOTICES OF NEW WORKS.

Letters to John Bull on the State of his Landed Property. By Sir E. B. LYTTON. London, 1851. Seventh Edition.

IN the present day, when the *cacoethes scribendi* has obtained such an ascendancy, that people who have no hope of being read at the public expense, and who are satisfied to pay a few pounds to see themselves in print, hasten to give vent to their feelings and their vanity in innumerable pamphlets on every subject, from singing for the million to the land tenure question, a short publication worth reading, like that before us, is truly a *rara avis*. The name of Sir Edward Bulwer Lytton, one not less distinguished in the world of literature, than in the great field of instruction in

the condition of the lower classes in England, is a sufficient guarantee of the style and tone of the present pamphlet. But the reader will find a plain, practical common sense running through its pages, which many would not expect from the author of the "Pilgrims of the Rhine." The subject of these letters, as the reader may surmise, is the working of "Free Trade;" the injustice to one class which must, and the danger to all which may, follow, as the natural consequence of such a transition. We have not been in the field early enough to have engaged on one side or the other—to publish ourselves Protectionists or Free Traders—or to have taken part in the struggle. Upon this subject we have never before offered an opinion, and, as we have already proclaimed, that attached to no one creed or party, we should always consider impartially any questions which might engage our attention, and advocate those measures which might seem to us as conducive to the interests of the empire, and productive of the greatest good to the greatest number. For this reason—and were it for naught else—we do think our recommendation entitled to some consideration; and to every man who has at heart the interests, perhaps the existence, of his country, we do most earnestly recommend the perusal of these letters. And let not the most violent Free Trader, horrified at the name of Protection, close our pages, or neglect our request, with the sensible, and by no means unusual remark—"Oh, we have done with all that humbug now—we are not going to retrograde, and starve our people, and ruin the great sources of England's wealth and power—her manufactures—for the sake of those vampires the landlords." We should hope that there are few men of sense and education, whether Protectionist or Free Trader, or aught else, so wedded to their opinion as to refuse to hear a word upon the subject. If the question were one which admitted of little or no discussion, as a matter of courtesy we would ask attention to what would fall from the pen of such a man as the writer of this pamphlet; but when it is one on the decision of which such mighty interests depend, and one on which wise and able legislators, and profound and experienced statesmen, have differed so widely, surely that man must be either a knave or a fool who would disregard the precept, *Audi alteram partem*, or rather "hear the golden mean which will divide the burthen fairly, and be a triumph to neither or both." The settlement of the question, which the worthy baronet proposes and advocates, is one which strikes us as strict justice, and at the same time calculated to save the country from considerable danger, as well as distress, viz.:—a moderate fixed duty on foreign corn. Though it may be in England at least that the manufacturing interest is of much greater importance than the agricultural, it does not therefore follow that the agriculturists are to be sacrificed to the manufacturers, especially as the prosperity of the former is in no way incompatible with the stability of the latter. If the question were, one or other must fall—which shall we sacrifice? it would be quite a different matter; but when no necessity of this kind exists, it seems to us

impolitic, as well as unjust, that one should be unduly depressed, or rather ruined, for the undue exaltation of the other. Neither is it the operatives who would be losers if some slight Protection were given to our farmers, and a slight consequent increase in the price of bread stuffs were the result; and for this reason, the wages received by workmen will always bear a proportion to the prices of the necessaries of life, and if the prices of bread, &c., be raised, so must the wages of the operative; it would consequently be out the pockets of the great manufacturer that the difference which would save our agricultural interest should come.

We must be all aware of the colossal fortunes made and making by our great mill and factory proprietors, and we can not think it fair or just that the interests of so great—aye, and after all perhaps, the most important—class should be sacrificed, that our manufacturers may acquire fortunes of European celebrity. How much less dispute must there be of the necessity of Protection for Ireland—a country almost entirely agricultural, and destitute of manufactures.

Politicians know what the value of a good cry is, either to go to the country, or to raise an agitation; they know also what it is really worth. Church and State, King and Constitution, Universal Suffrage, Vote by Ballot, and the Charter, and many such, have stood party men in good need. Now of all the cries that we ever yet heard, or heard of, we have no hesitation in saying, without intending any disrespect to Free Trade, or Free Traders, that “the big loaf” is the most effectual, as well as the most fallacious. But we are delaying too long from our pamphlet.

The first of these letters is signed “A Labourer, though a Landlord,” and the reason the writer gives for taking to himself such a title, and credit for sincerity, we shall allow himself to tell:—

“On the other hand, my dear John, while I believe that my land, which is free from all mortgage, is not of that kind on which the severest loss is likely to be incurred, so, health permitting, I have, as a labourer, a resource that all landlords do not enjoy; and if my rents should fall, no corn law will affect my pen and my brain; I can work—I am used to it. Moreover, dear John, you are too fine-hearted a fellow not to own that avarice is rarely the most cogent motive in the ambition of public men. It is something to see myself separated—not by my own change of opinions, but by theirs—from the party with which in public I have acted, and the men whom in private I have known or loved; and on this, as on all matters when conviction is strong and earnest, whatever divides the opinion estranges the friendship. It is something, for many years, and those spreading over the prime of manhood, to have stood alone and excluded from the noble field of action—parliamentary life.”

Sir Edward first proceeds to combat the notion, that such a declaration in favour of Free Trade is conclusive, and such a step irrevocable, and to shew the mistake of confounding a fiscal arrangement, such as the enacting or repealing corn laws with changes in the constitution, that it is the very nature of such questions to be experimental. Protection sprung into

existence cotemporaneous with the first dawning of civilization of England, during the reign of Edward IV. Many reasons combined—neglect, want of method, &c., to render such protection almost a nullity, until the revolution of 1688, when for the first time it was vigorously enforced, and under its fostering hand Britain made mighty strides in commerce and manufacture. The nation, after some time, determined to make an experiment of Free Trade, and accordingly, in 1733, a law was passed which admitted wheat at a nominal duty of 6*d.*, whenever the home price attained or exceeded 48*s.* per quarter. They got tired of this, and in 1791, having made their experiment, and being dissatisfied with a duty of 24*s.* 6*d.*, was placed on corn, while the home produce was under 50*s.*, and this at a period when the people, if they had been tickled with the idea of the big loaf, were very likely to insist on it.

Our attention is next called to some of the contradictory statements as to the effects of Free Trade on wages and rents made by some of its warmest and ablest supporters.

"On the necessity of lowering wages, aye, and not in agricultural districts, but in *manufacturing towns*; on the necessity of lowering them, in order to compete with the foreigner, Mr. Villiers rests half his case. And yet, what says his fellow political economist, Colonel Torrens? Exactly the contrary: "The true cause of low wages is high food, for then mechanical power is brought more and more in competition with human labour, and the operative will be employed at wages reduced to the slavery point."

"The repeal of the corn laws must lower the wages," says Mr. Villiers, "It must raise them," says Colonel Torrens. Every fact, real or supposed, adduced by the Manchester Chamber of Commerce, tended to shew the necessity of conforming to the low wages of the continent. And again, Mr. James Wilson, who has a kind word, and coaxing lure for every class, feels the Manchester Chamber of Commerce with this knock down prediction—"We are, therefore, of opinion, that in the event of Free Trade in corn, the *price of labour in this country would rather be increased than diminished.*"—17, 18.

That there is something radically wrong in the system of Protection is a delusion that no inconsiderable number labour under: that the contrary is the fact, we have but to refer to history to prove. From the earliest ages, whose annals we have recorded, we find that those states of greatest wealth and importance, not from their territorial possessions or military spirit, but from the industry of their inhabitants, and the enterprise of their merchants, rose into power and maintained their position under a system of most rigid protection. Of this system and its advantages, Venice, which for five centuries occupied the first, almost the sole position in navigation, trade, and manufactures, presents the truest and most perfect example. We do not refer to Venice or to Genoa to hold them, and their systems of extreme Protection, up for our example and imitation, but merely to show, from history at least, that there is nothing essentially rotten or injurious about protection.

"I argue not," he says, "in exclusive favor of Protection; I say simply, that those who attribute all advantages to the opposite system have not facts sufficient to render their theory indisputable; that in all the commercial states in the history of the world, the policy of protection has been admitted—more or less stringent, according to the expediency of the state; that the duration of commercial eminence in the most restrictive of all modern states, Venice, was more than double that of the most liberal of all modern states, Holland; that England has grown up into the greatest commercial commonwealth now existing, under systems of protection; that under systems of protection the rivals she has to encounter in America, in Germany, in France, flourish and increase; that even our cotton manufacture, 'that hardy child of Free Trade,' was shown, before a Committee of the House of Commons, to have increased in the years between 1812 and 1826, in the ratio of only 270 per cent.; while the cotton manufacture of France, 'that sickly offspring of Protection,' had increased in the ratio of 310 per cent.—and this in spite of French duties, the most really injudicious, on raw cotton and iron." 23.

Can anything be fairer, more reasonable, than the following? Is there anything in it that any sensible, any *honest* man, can refuse to listen to?—honest, we repeat; for men acting in bodies attempt to shirk the individual responsibility of their acts, and do not hesitate for one moment in doing collectively, that which, as individuals, they would blush even to have been accused of; and that act of turning on the wretched agriculturists, and in contempt of all previous policy, and reckless of pledges as of consequences, leaving without even a ray of protection those who but the moment before were decently clad, we cannot but esteem as eminently dishonest:—

"I subscribe to the expediency of opening our ports, of greatly increasing our regular importation of corn; and all that I ask of the manufacturer is this—fit the farmer for the competition that you force on him; and gaining a great deal, concede a little in return. You say that you find, in Christianity itself, a sanction for the maxim to buy in the cheapest and sell in the dearest market. There is another maxim to which the sanction of Christianity is more generally conceded—'As you would that men should do unto you, do ye also to them likewise.' Your friend, Mr. M'Culloch, in speaking of the cotton trade, and in seeking to calm any excess of imprudent compassion which might be excited by the sufferings of the children employed in the factories, uses these very sensible and conciliatory expressions: 'The subsistence of 1,400,000 people is not to be endangered on slight grounds. The abuses even of such a business must be cautiously dealt with, lest in eradicating them we stake or disorder the whole fabric.'

"I concede this proposition in favor of the British manufacturers of cotton, and I claim that concession in favor of the British producers of corn." 38.

Sir Edward next calls our attention to the manner in which the pledges which were made by two prime ministers, Sir Robert Peel and Lord John Russell, were fulfilled. Lord John, in his letter to the Queen, in 1846, states that it was the intention of the great conservative adherents to extend some relief to the occupiers of land, at the same time that he had resolved, by a gradual diminution of duties on importation of corn, to have left the British farmer unprotected, to compete with his untaxed and climate-favored foreign rivals. In

the same letter Lord John expresses, that his own intention was, at the same time with the opening of the ports, "*to have accompanied this proposal with large measures of relief to the occupiers of land.*" And how were these pledges redeemed? and what were the burdens taken off the backs of the unfortunate landholders? Why (were not the subject too serious a one—one which is a matter of life and death—it might provoke our laughter), by a reduction on bricks and timber. There is a passage quoted from a speech of Sir Robert Peel's in 1839, which, in the present day of progress, practical men may deem of little importance, but which shows the question under a peculiar light, and one not unworthy of serious consideration; for after all, no man could be ever more truly practical or alive to the spirit of the times, than was that great minister:

"We should not forget, amid all these presages of complete happiness, that it is under the influence of protection to agriculture, continued for two hundred years, that the fen has been drained, the wild heath reclaimed, the health of a whole people improved, their life prolonged—and all this not at the expense of manufacturing prosperity, but concurrently with its wonderful advancement."

How absurd, how insulting, to talk to the ruined landholders of the reduction in bricks and timber, while they have the poor rate thus unfairly pressing on them!

"For you say that the old proportions of property are altered—that the manufacturing wealth increases in a ratio far beyond that of the agricultural; and yet this thus increasing wealth escapes comparatively free from the support of the very population that it forces forth to produce it! It takes the sinews of the human being from childhood to decay, and then throws the human machine, when it breaks under its use, upon the alms of that very property to which that human machine has yielded no return, and towards the war against which it has been used as an instrument. Glance at this instance from the evidence given before the Committee of the House of Lords (on the burdens of land). A farmer was examined, and speaks thus: 'The poor rates on Mr. Heathcoat's factory, in this parish, have averaged £41 0s. 9d. a year, for the last seven years; on the farm occupied by myself, £58 2s.; so that I have paid £17 1s. 3d. a year more than Mr. Heathcoat. My rental is £300 a year, and the profits you can imagine; Mr. Heathcoat's profits are reputed to be £40,000 a year.'" 49.

But this very principle of a moderate fixed duty the most eminent amongst the Free Traders concede; and as we might expect from any men not thoroughly blinded in their anxiety for cheap food for the masses, they do not become oblivious of everything save their proposed end.

"Hear, first, Mr. Ricardo—no friend to the land-owner. You will see that he advocates the policy of the fixed duty—contends for its justice—and even intimates his concession to a duty of 10s.—double that which Lord Stanley in these times has suggested.

"The growers of corn are subject to some of these peculiar taxes—such as tithes, a portion of the poor rates, and perhaps one or two other taxes—

all of which tend to raise the price of corn and other raw produce equal to these peculiar burdens. In the degree, then, to which these taxes raise the price of corn, a duty should be imposed on its importation. . . . If importation was allowed, an undue encouragement would be given to the importation of foreign corn, unless the foreign commodity were subject to the same duty, equal to tithes or any other exclusive tax, as that imposed on the home grower."

"Thus says Mr. Ricardo. Hear next Mr. Poulett Thomson, afterwards Lord Sydenham, speaking against the corn laws, in 1834—

"He concluded that a fixed duty of from 8s. to 10s. the quarter, under which foreign corn could at all times come into the market of this country at a moderate price, would have prevented this occurrent fluctuation, and the consequent loss. . . He would not dispute that the land-owners had a claim to a certain degree of protection, &c. . . Mr. Ricardo proposed the adoption of a certain fixed duty as being a full and sufficient compensation to the landowners—let them adopt that plan. By the adoption of such a plan as that of a fixed duty, there was no doubt that the revenue would be a gainer, and he would not object to appropriate the amount of duty thus received towards affording that relief to the land-owners to which they should prove themselves entitled."

"But you say, whatever these eminent men may have thought thus of a fixed duty, in 1846 they would have been for the total repeal now enforced on us. Yet surely, if there be one person who may guide us as to their probable opinion, had they been spared to us in 1846, it is the great living disciple and elucidator of Adam Smith and Ricardo, the most learned and profound of all our surviving masters in the Free Trade school, of this science of political economy. Thus says Mr. M'Culloch, writing in 1849, *three years after the enactment, but before the serious distress that has befallen the agriculturist* :—

"At the same time, we are ready to admit, that *we should have preferred* seeing this question settled by imposing a low fixed duty of 5s., 6s. or 7s. a quarter on wheat, and other grain in proportion, accompanied by a proportionate drawback. . . And it must be borne in mind that the distress of the agriculturists never fails to re-act on the other classes when the former are involved in difficulties; the demands for the products of the looms and of our colonial possessions are proportionably diminished, so that the market is glutted with manufactured goods, sugar, &c., as well as with corn. It is, indeed, uniformly found, that the injury that is thus inflicted on the manufacturing and trading part of the community, very much exceeds all that they gain by the temporary fall in the price of raw produce. It is plainly therefore, a capital mistake, to suppose that the duty and drawback now referred to, would be advantageous only to the agriculturists; they would redound quite as much to the advantage of the other classes."—53, 54.

The author cautions us against placing too much dependence on the regulations sought to be enforced, or the changes proposed by the trading or manufacturing interest; and in support of his argument that they are to be regarded with jealousy, he quotes from the father of political economy. He also cites him to show (if indeed we required any authority beyond the dictates of common sense and reason to inform us) that a change so sudden as that which has taken place from a high protection to an absolute entire freedom from duty, is one which, even if called for, which we deny, was one to be effected with great care and deliberation.

The interest of the dealers in any particular branch of trade and manufacture is always in some degree different from, and even opposite to that of the public. The proposal of any new law or regulation of commerce which comes from this order, ought always to be listened to with great precaution, and ought never to be adopted till after having been long and carefully examined, not only with the most scrupulous, but with the most suspicious attention.—Adam Smith, c. XI., *Wealth of Nations*, 93.

Thirdly—Mark this! even where neither of these cases may apply, Adam Smith states, “that when by previous high duty or prohibition, employment has been extended to a great multitude of hands, humanity may in this case require that the freedom of trade should be restored only by slow gradation, and with a good deal of reserve and circumspection.—Book IV., c. XI, 96.

What can be juster or more moderate than this concluding appeal to the country?

“I own that the benefit to the agriculturist in a moderate fixed duty would be small in comparison to the loss he has sustained, and the risks he must encounter; but, in consenting to that compromise, through the mediation of the chief to whom he has entrusted his cause, he shows that he will accept what can least interfere with the experimental policy you have begun, and that he has due consideration to the exports of the manufacturer—the price of bread to all classes, small it may be in actual pecuniary relief to the agriculturist, but, large indeed to him, and to society, in diminishing the fear with which he anticipates the future, and softening the spirit with which he confronts the present, reconciling class to class, smoothing obstacles to progressive legislation, lessening dangers in those crises in which progress tends to decay.”

We have not noticed this pamphlet, or seemed to give it much attention in its bearing on Ireland, but it is wholly unnecessary to consider the abstract principle as affecting one country rather than the other. If the agriculturists succeed in obtaining that which they are entitled to *ex debito justitiæ* a moderate fixed duty on foreign corn, a *fortiori* must the benefits of such a provision be extended to Ireland, a country, as we have already said, almost destitute of manufactures. Our limited space has but enabled us to call attention to this publication, and instead of reviewing the question at that length which it deserves, and we should wish to give, merely to bring it under the notice of our readers, as we have found it but little known even amongst the reading classes in this country.

Puseyism and the Prayer Book, by the Rev. E. Tighe Gregory, D. D., &c. Edward Howell, Liverpool, 1851.

Dr. Gregory has collected, and published under the above title, a series of letters published by him from time to time in several of the daily papers.

When we consider the nature of the several topics discussed, “Puseyism and the Prayer Book,” “Royal Supremacy,” the “Papal Aggression,” and several other matters of the highest importance, we must say, that if Dr. Gregory's pamphlet fails in attracting public attention, it cannot be from

want of interest in the subject discussed by him. We have our doubts, however, whether it was worth Dr. Gregory's while, to collect together, in the above form, letters which, however well deserving a space in a daily paper, are in our minds unsuited for republication.

With some of his sentiments we, however, cordially agree. We have long thought (as we conceive every one who approaches the subject with an unbiassed mind will also think) that the Book of Common Prayer requires revision, and that there are many passages in it, which, however they may be explained and construed, yet, when taken in the sense which the words literally bear, are calculated to mislead, and seem to establish opinions which, we think, are not founded in scripture.

"Would it not be well," writes Dr. Gregory, "that the devotional directory of the Established Church were so thoroughly purged, that no resting-place could be found for the book-worms whose tiny but persevering nibbling has so seriously damaged the sacred volume—that the consciences of the spiritually-minded should no longer suffer offence—the weak find a justification for wavering—the tractarian be furnished with specious pretences, by the endurance in our Prayer Book of aught that might be considered as anti-Protestant, obsolete, or unauthorized?"

Dr. Gregory advocates the assembling of a convocation for this purpose, and cites the example of the American Protestant Episcopal Church, as having successfully carried out this object in their ritual; we cannot enter in this short notice upon the question of "Convocation," it embraces too many considerations to discuss even in the shortest and most cursory manner; its history, its power, or the objects for which it was originally instituted; but however we may differ with the learned gentleman in the advisability of re-establishing "convocation," we cannot dissent from the sentiment expressed in the following words:

"I concede to others the same mental privileges I claim for myself; and dare not, in the hearing of the only searcher of all hearts, denounce or impugn the sincerity of any: each to his own master standeth or falleth."

With reference to the "Gorham Controversy," Mr. Gregory writes:

"That on a recent occasion the judges were not exclusively ecclesiastics, must, I should apprehend, be a source of much satisfaction to every free-born Briton, who revolts at the rod of despotism being wielded by the proud and unscrupulous over the humble and conscientious."

It is quite clear from the above passage, that the learned doctor is not at issue with the bishops of Exeter and London on this point; but we think that the words "proud and unscrupulous" go a little too far: we are happy to think that the vast majority of "ecclesiastics" are far from deserving the character given to them in the above passage: we will conclude by giving an extract which exhibits Dr. Gregory's view on the "Papal Aggression:"

"Without entering into the question of whether the recognition" (of territorial titles in Ireland) "was advisable or otherwise, it yet admits of

none, that its withdrawal would be ungracious, and is uncalled for in Ireland, under no altered circumstances connected therewith; and thinking men would pause before seeking the repeal of enactments met by their legitimate opposition previous to passing the legislature, but to which time has subsequently given its sanction."

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